

28 preceding paragraph;

29 ▶ provides a penalty for failing to timely make a disclosure relating to a gift or travel
30 provided to an officeholder by a foreign entity or an agent of a foreign entity;

31 ▶ provides for the public disclosure of the reports and disclosures required by this bill;

32 and

33 ▶ makes technical and conforming changes.

34 **Money Appropriated in this Bill:**

35 None

36 **Other Special Clauses:**

37 None

38 **Utah Code Sections Affected:**

39 AMENDS:

40 20A-1-306, as last amended by Laws of Utah 2022, Chapter 325

41 20A-1-501, as last amended by Laws of Utah 2019, Chapter 349

42 20A-11-101, as last amended by Laws of Utah 2022, Chapter 126

43 20A-11-101.5, as enacted by Laws of Utah 2014, Chapter 18

44 20A-11-101.7, as enacted by Laws of Utah 2017, Chapter 39

45 20A-11-201, as last amended by Laws of Utah 2021, Chapter 20

46 20A-11-203, as last amended by Laws of Utah 2019, Chapter 74

47 20A-11-204, as last amended by Laws of Utah 2021, Chapter 20

48 20A-11-205, as last amended by Laws of Utah 2013, Chapter 170

49 20A-11-301, as last amended by Laws of Utah 2021, Chapter 20

50 20A-11-302, as last amended by Laws of Utah 2019, Chapter 74

51 20A-11-303, as last amended by Laws of Utah 2021, Chapter 20

52 20A-11-304, as last amended by Laws of Utah 2013, Chapter 170

53 20A-11-401, as last amended by Laws of Utah 2018, Chapter 83

54 20A-11-402, as last amended by Laws of Utah 2019, Chapter 74

55 20A-11-505.7, as last amended by Laws of Utah 2015, Chapter 21

56 20A-11-601, as last amended by Laws of Utah 2022, Chapter 340

57 20A-11-602, as last amended by Laws of Utah 2019, Chapters 74, 116

58 20A-11-701.1, as enacted by Laws of Utah 2019, Chapter 74

- 59 [20A-11-701.5](#), as renumbered and amended by Laws of Utah 2019, Chapter 74
- 60 [20A-11-904](#), as enacted by Laws of Utah 2010, Chapter 389
- 61 [20A-11-1202](#), as last amended by Laws of Utah 2020, Chapter 365
- 62 [20A-11-1203](#), as last amended by Laws of Utah 2019, Chapter 203
- 63 [20A-11-1206](#), as last amended by Laws of Utah 2019, Chapter 203
- 64 [20A-11-1301](#), as last amended by Laws of Utah 2021, Chapter 20
- 65 [20A-11-1302](#), as last amended by Laws of Utah 2019, Chapter 74
- 66 [20A-11-1303](#), as last amended by Laws of Utah 2021, Chapter 20
- 67 [20A-11-1304](#), as enacted by Laws of Utah 1997, Chapter 355
- 68 [20A-11-1402](#), as last amended by Laws of Utah 2004, Chapter 220
- 69 [20A-11-1403](#), as repealed and reenacted by Laws of Utah 2003, Chapter 284
- 70 [20A-11-1404](#), as last amended by Laws of Utah 2004, Chapter 220
- 71 [20A-11-1502](#), as last amended by Laws of Utah 2018, Chapter 83
- 72 [20A-11-1704](#), as last amended by Laws of Utah 2018, Chapter 83
- 73 [68-3-12.5](#), as last amended by Laws of Utah 2021, Chapter 93

74 ENACTS:

- 75 [20A-11-204.5](#), Utah Code Annotated 1953
- 76 [20A-11-303.5](#), Utah Code Annotated 1953
- 77 [20A-11-1303.5](#), Utah Code Annotated 1953
- 78 [20A-11a-101](#), Utah Code Annotated 1953
- 79 [20A-11a-102](#), Utah Code Annotated 1953

80 REPEALS:

- 81 [20A-11-1201](#), as last amended by Laws of Utah 1999, Chapter 21



83 *Be it enacted by the Legislature of the state of Utah:*

84 Section 1. Section **20A-1-306** is amended to read:

85 **20A-1-306. Electronic signatures prohibited.**

86 Notwithstanding Title 46, Chapter 4, Uniform Electronic Transactions Act, and
87 Subsections [68-3-12\(1\)\(e\)](#) and [~~[68-3-12.5\(28\)](#) and ([40](#))~~] [68-3-12.5\(29\)](#) and ([41](#)), an electronic
88 signature may not be used to sign a petition to:

- 89 (1) except as provided in Section [20A-21-201](#), qualify a ballot proposition for the

90 ballot under Chapter 7, Issues Submitted to the Voters;

91 (2) organize and register a political party under Chapter 8, Political Party Formation
92 and Procedures; or

93 (3) except as provided in Section 20A-21-201, qualify a candidate for the ballot under
94 Chapter 9, Candidate Qualifications and Nominating Procedures.

95 Section 2. Section 20A-1-501 is amended to read:

96 **20A-1-501. Candidate vacancies -- Procedure for filling.**

97 (1) The state central committee of a political party, for candidates for United States
98 senator, United States representative, governor, lieutenant governor, attorney general, state
99 treasurer, and state auditor, and for legislative candidates whose legislative districts encompass
100 more than one county, and the county central committee of a political party, for all other party
101 candidates seeking an office elected at a regular general election, may certify the name of
102 another candidate to the appropriate election officer if:

103 (a) for a registered political party that will have a candidate on a ballot in a primary
104 election, after the close of the period for filing a declaration of candidacy and continuing
105 through the day before the day on which the lieutenant governor provides the list described in
106 Subsection 20A-9-403(4)(a):

107 (i) only one or two candidates from that party have filed a declaration of candidacy for
108 that office; and

109 (ii) one or both:

110 (A) dies;

111 (B) resigns because of acquiring a physical or mental disability, certified by a physician
112 or physician assistant, that prevents the candidate from continuing the candidacy; or

113 (C) is disqualified by an election officer for improper filing or nominating procedures;

114 (b) for a registered political party that does not have a candidate on the ballot in a
115 primary, but that will have a candidate on the ballot for a general election, after the close of the
116 period for filing a declaration of candidacy and continuing through the day before the day on
117 which the lieutenant governor makes the certification described in Section 20A-5-409, the
118 party's candidate:

119 (i) dies;

120 (ii) resigns because of acquiring a physical or mental disability as certified by a

121 physician or physician assistant;
122 (iii) is disqualified by an election officer for improper filing or nominating procedures;
123 or
124 (iv) resigns to become a candidate for president or vice president of the United States;
125 or
126 (c) for a registered political party with a candidate certified as winning a primary
127 election, after the deadline described in Subsection (1)(a) and continuing through the day
128 before that day on which the lieutenant governor makes the certification described in Section
129 [20A-5-409](#), the party's candidate:
130 (i) dies;
131 (ii) resigns because of acquiring a physical or mental disability as certified by a
132 physician or physician assistant;
133 (iii) is disqualified by an election officer for improper filing or nominating procedures;
134 or
135 (iv) resigns to become a candidate for president or vice president of the United States.
136 (2) If no more than two candidates from a political party have filed a declaration of
137 candidacy for an office elected at a regular general election and one resigns to become the party
138 candidate for another position, the state central committee of that political party, for candidates
139 for governor, lieutenant governor, attorney general, state treasurer, and state auditor, and for
140 legislative candidates whose legislative districts encompass more than one county, and the
141 county central committee of that political party, for all other party candidates, may certify the
142 name of another candidate to the appropriate election officer.
143 (3) Each replacement candidate shall file a declaration of candidacy as required by
144 Title 20A, Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy.
145 (4) (a) The name of a candidate who is certified under Subsection (1)(a) after the
146 deadline described in Subsection (1)(a) may not appear on the primary election ballot.
147 (b) The name of a candidate who is certified under Subsection (1)(b) after the deadline
148 described in Subsection (1)(b) may not appear on the general election ballot.
149 (c) The name of a candidate who is certified under Subsection (1)(c) after the deadline
150 described in Subsection (1)(c) may not appear on the general election ballot.
151 (5) A political party may not replace a candidate who is disqualified for failure to

152 timely file a campaign disclosure financial report under [~~Title 20A, Chapter 11, Campaign and~~
153 ~~Financial Reporting Requirements~~] Chapter 11, Reporting Requirements for Candidates,
154 Officeholders, and Entities, or Section 17-16-6.5.

155 Section 3. Section **20A-11-101** is amended to read:

156 **CHAPTER 11. REPORTING REQUIREMENTS FOR CANDIDATES,**
157 **OFFICEHOLDERS, AND ENTITIES**

158 **20A-11-101. Definitions.**

159 As used in this chapter:

160 (1) (a) "Address" means the number and street where an individual resides or where a
161 reporting entity has its principal office.

162 (b) "Address" does not include a post office box.

163 (2) "Agent of a reporting entity" means:

164 (a) a person acting on behalf of a reporting entity at the direction of the reporting
165 entity;

166 (b) a person employed by a reporting entity in the reporting entity's capacity as a
167 reporting entity;

168 (c) the personal campaign committee of a candidate or officeholder;

169 (d) a member of the personal campaign committee of a candidate or officeholder in the
170 member's capacity as a member of the personal campaign committee of the candidate or
171 officeholder; or

172 (e) a political consultant of a reporting entity.

173 (3) "Ballot proposition" includes initiatives, referenda, proposed constitutional
174 amendments, and any other ballot propositions submitted to the voters that are authorized by
175 the Utah Code Annotated 1953.

176 (4) "Candidate" means any person who:

177 (a) files a declaration of candidacy for a public office; or

178 (b) receives contributions, makes expenditures, or gives consent for any other person to
179 receive contributions or make expenditures to bring about the person's nomination or election
180 to a public office.

181 (5) "Chief election officer" means:

182 (a) the lieutenant governor for state office candidates, legislative office candidates,

183 officeholders, political parties, political action committees, corporations, political issues
 184 committees, state school board candidates, judges, and labor organizations, as defined in
 185 Section [20A-11-1501](#); and

186 (b) the county clerk for local school board candidates.

187 (6) (a) "Contribution" means any of the following when done for a political [~~purposes~~]
 188 purpose:

189 (i) a gift, subscription, donation, loan, advance, or deposit of money or anything of
 190 value given to the filing entity;

191 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
 192 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or
 193 anything of value to the filing entity;

194 (iii) any transfer of funds from another reporting entity to the filing entity;

195 (iv) compensation paid by any person or reporting entity other than the filing entity for
 196 personal services provided without charge to the filing entity;

197 (v) remuneration from:

198 (A) any organization or its directly affiliated organization that has a registered lobbyist;

199 or

200 (B) any agency or subdivision of the state, including school districts;

201 (vi) a loan made by a candidate deposited to the candidate's own campaign; and

202 (vii) in-kind contributions.

203 (b) "Contribution" does not include:

204 (i) services provided by individuals volunteering a portion or all of their time on behalf
 205 of the filing entity if the services are provided without compensation by the filing entity or any
 206 other person;

207 (ii) money lent to the filing entity by a financial institution in the ordinary course of
 208 business;

209 (iii) goods or services provided for the benefit of a political entity at less than fair
 210 market value that are not authorized by or coordinated with the political entity; [~~or~~]

211 (iv) data or information described in Subsection [~~(24)(b)~~] [\(23\)\(b\)](#); or

212 (v) public service assistance.

213 (7) "Coordinated with" means that goods or services provided for the benefit of a

214 political entity are provided:

- 215 (a) with the political entity's prior knowledge, if the political entity does not object;
- 216 (b) by agreement with the political entity;
- 217 (c) in coordination with the political entity; or
- 218 (d) using official logos, slogans, and similar elements belonging to a political entity.

219 (8) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business
220 organization that is registered as a corporation or is authorized to do business in a state and
221 makes any expenditure from corporate funds for:

- 222 (i) the purpose of expressly advocating for a political [~~purposes~~] purpose; or
- 223 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
224 proposition.

225 (b) "Corporation" does not mean:

- 226 (i) a business organization's political action committee or political issues committee; or
- 227 (ii) a business entity organized as a partnership or a sole proprietorship.

228 (9) "County political party" means, for each registered political party, all of the persons
229 within a single county who, under definitions established by the political party, are members of
230 the registered political party.

231 (10) "County political party officer" means a person whose name is required to be
232 submitted by a county political party to the lieutenant governor in accordance with Section
233 [20A-8-402](#).

234 (11) "Detailed listing" means:

- 235 (a) for each contribution or public service assistance:
 - 236 (i) the name and address of the individual or source making the contribution or public
237 service assistance, except to the extent that the name or address of the individual or source is
238 unknown;
 - 239 (ii) the amount or value of the contribution or public service assistance; and
 - 240 (iii) the date the contribution or public service assistance was made; and
- 241 (b) for each expenditure:
 - 242 (i) the amount of the expenditure;
 - 243 (ii) the goods or services acquired by the expenditure; and
 - 244 (iii) the date the expenditure was made.

245 (12) (a) "Donor" means a person that gives money, including a fee, due, or assessment
246 for membership in the corporation, to a corporation without receiving full and adequate
247 consideration for the money.

248 (b) "Donor" does not include a person that signs a statement that the corporation may
249 not use the money for an expenditure or political issues expenditure.

250 (13) "Election" means each:

251 (a) regular general election;

252 (b) regular primary election; and

253 (c) special election at which candidates are eliminated and selected.

254 (14) "Electioneering communication" means a communication that:

255 (a) has at least a value of \$10,000;

256 (b) clearly identifies a candidate or judge; and

257 (c) is disseminated through the Internet, newspaper, magazine, outdoor advertising
258 facility, direct mailing, broadcast, cable, or satellite provider within 45 days of the clearly
259 identified candidate's or judge's election date.

260 (15) (a) "Expenditure" means any of the following made by a reporting entity or an
261 agent of a reporting entity on behalf of the reporting entity:

262 (i) any disbursement from contributions~~[, receipts,]~~ or public service assistance, except
263 public service travel assistance that is disclosed in a public service travel assistance statement;

264 (ii) any disbursement from the separate bank account required by this chapter;

265 ~~[(i)]~~ (iii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of
266 money, or anything of value made for a political ~~[purposes]~~ purpose;

267 ~~[(iii)]~~ (iv) an express, legally enforceable contract, promise, or agreement to make any
268 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
269 value for a political ~~[purposes]~~ purpose;

270 ~~[(iv)]~~ (v) compensation paid by a filing entity for personal services rendered by a
271 person without charge to a reporting entity;

272 ~~[(v)]~~ (vi) a transfer of funds between the filing entity and a candidate's personal
273 campaign committee;

274 ~~[(vi)]~~ (vii) goods or services provided by the filing entity to or for the benefit of
275 another reporting entity for a political ~~[purposes]~~ purpose at less than fair market value; or

276 [~~(vii)~~] (viii) an independent expenditure, as defined in Section [20A-11-1702](#).
277 (b) "Expenditure" does not include:
278 (i) services provided without compensation by individuals volunteering a portion or all
279 of their time on behalf of a reporting entity;
280 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
281 business; or
282 (iii) anything [~~listed~~] described in Subsection (15)(a) that is given by a reporting entity
283 to candidates for office or officeholders in states other than Utah.
284 (16) "Federal office" means the office of president of the United States, United States
285 Senator, or United States Representative.
286 (17) "Filing entity" means the reporting entity that is required to file a financial
287 statement required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.
288 (18) [~~(18)~~] (a) "Financial statement" [~~includes any~~] means a summary report, interim
289 report, verified financial statement, or other statement disclosing contributions, expenditures,
290 receipts, donations, or disbursements that is required by this chapter or Chapter 12, Part 2,
291 Judicial Retention Elections.
292 (b) "Financial statement" does not include a public service travel assistance statement.
293 (19) "Governing board" means the individual or group of individuals that determine the
294 candidates and committees that will receive expenditures from a political action committee,
295 political party, or corporation.
296 (20) "Incorporation" means the process established by Title 10, Chapter 2a, Municipal
297 Incorporation, by which a geographical area becomes legally recognized as a city, town, or
298 metro township.
299 (21) "Incorporation election" means the election conducted under Section [10-2a-210](#) or
300 [10-2a-404](#).
301 (22) "Incorporation petition" means a petition described in Section [10-2a-208](#).
302 [~~(23) "Individual" means a natural person.~~]
303 [~~(24)~~] (23) (a) "In-kind contribution" means anything of value, other than money, that
304 is accepted by or coordinated with a filing entity.
305 (b) "In-kind contribution" does not include:
306 (i) survey results, voter lists, voter contact information, demographic data, voting trend

307 data, or other information that:

308 ~~[(†)]~~ (A) is not commissioned for the benefit of a particular candidate or officeholder;

309 and

310 ~~[(†)]~~ (B) is offered at no cost to a candidate or officeholder~~[-]~~; or

311 ~~(ii)~~ public service travel assistance that is disclosed in a public service travel assistance
312 statement.

313 ~~[(25)]~~ (24) "Interim report" means a report identifying the contributions received and
314 expenditures made since the last report.

315 ~~[(26)]~~ (25) "Legislative office" means the office of state senator, state representative,
316 speaker of the House of Representatives, president of the Senate, and the leader, whip, and
317 assistant whip of any party caucus in either house of the Legislature.

318 ~~[(27)]~~ (26) "Legislative office candidate" means ~~[a person]~~ an individual who:

319 (a) files a declaration of candidacy for the office of state senator or state representative;

320 (b) declares oneself to be a candidate for, or actively campaigns for, the position of
321 speaker of the House of Representatives, president of the Senate, or the leader, whip, and
322 assistant whip of any party caucus in either house of the Legislature; or

323 (c) receives contributions, makes expenditures, or gives consent for any other person to
324 receive contributions or make expenditures to bring about the ~~[person's]~~ individual's
325 nomination, election, or appointment to a legislative office.

326 ~~[(28)]~~ (27) "Loan" means any of the following provided by a person that benefits a
327 filing entity if the person expects repayment or reimbursement:

328 (a) an expenditure made using any form of payment;

329 (b) money or funds received by the filing entity;

330 (c) the provision of a good or service with an agreement or understanding that payment
331 or reimbursement will be delayed; or

332 (d) use of any line of credit.

333 ~~[(29)]~~ (28) "Major political party" means either of the two registered political parties
334 that have the greatest number of members elected to the two houses of the Legislature.

335 ~~[(30)]~~ (29) "Officeholder" means ~~[a person]~~ an individual who holds a public office.

336 ~~[(31)]~~ (30) "Party committee" means any committee organized by or authorized by the
337 governing board of a registered political party.

338 ~~[(32) "Person" means both natural and legal persons, including individuals, business~~
339 ~~organizations, personal campaign committees, party committees, political action committees,~~
340 ~~political issues committees, and labor organizations, as defined in Section 20A-11-1501.]~~

341 ~~[(33)]~~ (31) "Personal campaign committee" means the committee appointed by a
342 candidate to act for the candidate as provided in this chapter.

343 ~~[(34)]~~ (32) "Personal use expenditure" ~~[has the same meaning as provided under]~~
344 means the same as that term is defined in Section 20A-11-104.

345 ~~[(35)]~~ (33) (a) "Political action committee" means an entity, or any group of
346 individuals or entities within or outside this state, a major purpose of which is to:

347 (i) solicit or receive contributions from any other person, group, or entity for a political
348 ~~[purposes]~~ purpose; or

349 (ii) make expenditures to expressly advocate for ~~[any person]~~ an individual to refrain
350 from voting or to vote for or against any candidate or ~~[person]~~ individual seeking election to a
351 municipal or county office.

352 (b) "Political action committee" includes groups affiliated with a registered political
353 party but not authorized or organized by the governing board of the registered political party
354 that receive contributions or makes expenditures for a political ~~[purposes]~~ purpose.

355 (c) "Political action committee" does not ~~[mean]~~ include:

356 (i) a party committee;

357 (ii) any entity that provides goods or services to a candidate or committee in the regular
358 course of its business at the same price that would be provided to the general public;

359 (iii) an individual;

360 (iv) individuals who are related and who make contributions from a joint checking
361 account;

362 (v) a corporation, except a corporation a major purpose of which is to act as a political
363 action committee; or

364 (vi) a personal campaign committee.

365 ~~[(36)]~~ (34) (a) "Political consultant" means a person who is paid by a reporting entity,
366 or paid by another person on behalf of and with the knowledge of the reporting entity, to
367 provide political advice to the reporting entity.

368 (b) "Political consultant" includes a circumstance described in Subsection ~~[(36)(a)]~~

369 (34)(a), where the person:

370 (i) has already been paid, with money or other consideration;

371 (ii) expects to be paid in the future, with money or other consideration; or

372 (iii) understands that the person may, in the discretion of the reporting entity or another
373 person on behalf of and with the knowledge of the reporting entity, be paid in the future, with
374 money or other consideration.

375 [~~(37)~~] (35) "Political convention" means a county or state political convention held by
376 a registered political party to select candidates.

377 [~~(38)~~] (36) "Political entity" means a candidate, a political party, a political action
378 committee, or a political issues committee.

379 [~~(39)~~] (37) (a) "Political issues committee" means an entity, or any group of individuals
380 or entities within or outside this state, a major purpose of which is to:

381 (i) solicit or receive donations from any other person, group, or entity to assist in
382 placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or
383 to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;

384 (ii) make expenditures to expressly advocate for [~~any person~~] an individual to sign or
385 refuse to sign a ballot proposition or incorporation petition or refrain from voting, vote for, or
386 vote against any proposed ballot proposition or an incorporation in an incorporation election; or

387 (iii) make expenditures to assist in qualifying or placing a ballot proposition on the
388 ballot or to assist in keeping a ballot proposition off the ballot.

389 (b) "Political issues committee" does not mean:

390 (i) a registered political party or a party committee;

391 (ii) any entity that provides goods or services to an individual or committee in the
392 regular course of its business at the same price that would be provided to the general public;

393 (iii) an individual;

394 (iv) individuals who are related and who make contributions from a joint checking
395 account;

396 (v) a corporation, except a corporation a major purpose of which is to act as a political
397 issues committee; or

398 (vi) a group of individuals who:

399 (A) associate together for the purpose of challenging or supporting a single ballot

400 proposition, ordinance, or other governmental action by a county, city, town, local district,
401 special service district, or other local political subdivision of the state;

402 (B) have a common liberty, property, or financial interest that is directly impacted by
403 the ballot proposition, ordinance, or other governmental action;

404 (C) do not associate together, for the purpose described in Subsection [~~(39)(b)(vi)(A)~~]
405 (37)(b)(vi)(A), via a legal entity;

406 (D) do not receive funds for challenging or supporting the ballot proposition,
407 ordinance, or other governmental action from a person other than an individual in the group;
408 and

409 (E) do not expend a total of more than \$5,000 for the purpose described in Subsection
410 [~~(39)(b)(vi)(A)~~] (37)(b)(vi)(A).

411 [~~(40)~~] (38) (a) "Political issues contribution" means any of the following:

412 (i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money or
413 anything of value given to a political issues committee;

414 (ii) an express, legally enforceable contract, promise, or agreement to make a political
415 issues donation to influence the approval or defeat of any ballot proposition;

416 (iii) any transfer of funds received by a political issues committee from a reporting
417 entity;

418 (iv) compensation paid by another reporting entity for personal services rendered
419 without charge to a political issues committee; and

420 (v) goods or services provided to or for the benefit of a political issues committee at
421 less than fair market value.

422 (b) "Political issues contribution" does not include:

423 (i) services provided without compensation by individuals volunteering a portion or all
424 of their time on behalf of a political issues committee; or

425 (ii) money lent to a political issues committee by a financial institution in the ordinary
426 course of business.

427 [~~(41)~~] (39) (a) "Political issues expenditure" means any of the following when made by
428 a political issues committee or on behalf of a political issues committee by an agent of the
429 reporting entity:

430 (i) any payment from political issues contributions made for the purpose of influencing

431 the approval or the defeat of:

432 (A) a ballot proposition; or

433 (B) an incorporation petition or incorporation election;

434 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made for

435 the express purpose of influencing the approval or the defeat of:

436 (A) a ballot proposition; or

437 (B) an incorporation petition or incorporation election;

438 (iii) an express, legally enforceable contract, promise, or agreement to make any

439 political issues expenditure;

440 (iv) compensation paid by a reporting entity for personal services rendered by a person

441 without charge to a political issues committee; or

442 (v) goods or services provided to or for the benefit of another reporting entity at less

443 than fair market value.

444 (b) "Political issues expenditure" does not include:

445 (i) services provided without compensation by individuals volunteering a portion or all

446 of their time on behalf of a political issues committee; or

447 (ii) money lent to a political issues committee by a financial institution in the ordinary

448 course of business.

449 ~~[(42)]~~ (40) "Political [~~purposes~~] purpose" means an act done with the intent or in a way

450 to influence or tend to influence, directly or indirectly, [~~any person~~] an individual to refrain

451 from voting or to vote for or against any:

452 (a) candidate or [~~a person~~] an individual seeking a municipal or county office at any

453 caucus, political convention, or election; or

454 (b) judge standing for retention at any election.

455 ~~[(43)]~~ (41) (a) "Poll" means the survey of [~~a person~~] an individual regarding the

456 [~~person's~~] individual's opinion or knowledge of an individual who has filed a declaration of

457 candidacy for public office, or of a ballot proposition that has legally qualified for placement

458 on the ballot, which is conducted in person or by telephone, facsimile, Internet, postal mail, or

459 email.

460 (b) "Poll" does not include:

461 (i) a ballot; or

- 462 (ii) an interview of a focus group that is conducted, in person, by one individual, if:
- 463 (A) the focus group consists of more than three, and less than thirteen, individuals; and
- 464 (B) all individuals in the focus group are present during the interview.

465 [~~(44)~~] (42) "Primary election" means any regular primary election held under the
466 election laws.

467 [~~(45)~~] (43) "Publicly identified class of individuals" means a group of 50 or more
468 individuals sharing a common occupation, interest, or association that contribute to a political
469 action committee or political issues committee and whose names can be obtained by contacting
470 the political action committee or political issues committee upon whose financial statement the
471 individuals are listed.

472 [~~(46)~~] (44) "Public office" means the office of governor, lieutenant governor, state
473 auditor, state treasurer, attorney general, state school board member, state senator, state
474 representative, speaker of the House of Representatives, president of the Senate, and the leader,
475 whip, and assistant whip of any party caucus in either house of the Legislature.

476 (45) "Public service assistance" means:

477 (a) public service general assistance; or

478 (b) public service travel assistance.

479 [~~(47)~~] (46) (a) "Public service general assistance" means the following when given or
480 provided to an officeholder to defray the costs of functioning in a public office or aid the
481 officeholder to communicate with the officeholder's constituents:

482 (i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of
483 money or anything of value to an officeholder; or

484 (ii) goods or services provided at less than fair market value to or for the benefit of the
485 officeholder.

486 (b) "Public service general assistance" does not include:

487 (i) anything provided by the state;

488 (ii) services provided without compensation by individuals volunteering a portion or all
489 of their time on behalf of an officeholder;

490 (iii) money lent to an officeholder by a financial institution in the ordinary course of
491 business;

492 (iv) news coverage or any publication by the news media; [~~or~~]

493 (v) any article, story, or other coverage as part of any regular publication of any
494 organization unless substantially all the publication is devoted to information about the
495 officeholder[-];

496 (vi) communication with a constituent that:

497 (A) solicits a contribution or other aid for a campaign; or

498 (B) is for the primary purpose of encouraging an individual to vote for an officeholder;

499 or

500 (vii) public service travel assistance.

501 (47) "Public service travel assistance" means providing or paying for travel,
502 accommodations, food, and other costs or expenses relating to an officeholder attending a
503 conference, meeting, tour, or other event, the primary purpose of which is to provide education,
504 training, or information to the officeholder in relation to the duties of the officeholder.

505 (48) "Public service travel assistance statement" means:

506 (a) as it relates to a state officeholder, a statement described in Section [20A-11-204](#); or

507 (b) as it relates to a legislative officeholder, a statement described in Section

508 [20A-11-303.5](#).

509 ~~[(48)]~~ (49) "Receipts" means:

510 (a) contributions [~~and~~]; or

511 (b) public service assistance, except public service travel assistance that is disclosed in
512 a public service travel assistance statement.

513 ~~[(49)]~~ (50) "Registered lobbyist" means [~~a person~~] an individual licensed under Title

514 36, Chapter 11, Lobbyist Disclosure and Regulation Act.

515 ~~[(50)]~~ (51) "Registered political action committee" means any political action
516 committee that is required by this chapter to file a statement of organization with the Office of
517 the Lieutenant Governor.

518 ~~[(51)]~~ (52) "Registered political issues committee" means any political issues
519 committee that is required by this chapter to file a statement of organization with the Office of
520 the Lieutenant Governor.

521 ~~[(52)]~~ (53) "Registered political party" means an organization of voters that:

522 (a) participated in the last regular general election and polled a total vote equal to 2%
523 or more of the total votes cast for all candidates for the United States House of Representatives

524 for any of its candidates for any office; or

525 (b) has complied with the petition and organizing procedures of Chapter 8, Political
526 Party Formation and Procedures.

527 [~~(53)~~] (54) (a) "Remuneration" means a payment:

528 (i) made to a legislator for the period the Legislature is in session; and

529 (ii) that is approximately equivalent to an amount a legislator would have earned
530 during the period the Legislature is in session in the legislator's ordinary course of business.

531 (b) "Remuneration" does not mean anything of economic value given to a legislator by:

532 (i) the legislator's primary employer in the ordinary course of business; or

533 (ii) a person [~~or entity~~] in the ordinary course of business:

534 (A) because of the legislator's ownership interest in the entity; or

535 (B) for services rendered by the legislator on behalf of the person [~~or entity~~].

536 [~~(54)~~] (55) "Reporting entity" means a candidate, a candidate's personal campaign

537 committee, a judge, a judge's personal campaign committee, an officeholder, a party

538 committee, a political action committee, a political issues committee, a corporation, or a labor

539 organization, as defined in Section 20A-11-1501.

540 [~~(55)~~] (56) "School board office" means the office of state school board.

541 [~~(56)~~] (57) (a) "Source" means the person [~~or entity~~] that is the legal owner of the
542 tangible or intangible asset that comprises the contribution.

543 (b) "Source" means, for political action committees and corporations, the political
544 action committee and the corporation as entities, not the contributors to the political action
545 committee or the owners or shareholders of the corporation.

546 [~~(57)~~] (58) "State office" means the offices of governor, lieutenant governor, attorney
547 general, state auditor, and state treasurer.

548 [~~(58)~~] (59) "State office candidate" means [~~a person~~] an individual who:

549 (a) files a declaration of candidacy for a state office; or

550 (b) receives contributions, makes expenditures, or gives consent for any other person to
551 receive contributions or make expenditures to bring about the [~~person's~~] individual's
552 nomination, election, or appointment to a state office.

553 [~~(59)~~] (60) "Summary report" means the year end report containing the summary of a
554 reporting entity's contributions and expenditures.

555 [(60)] (61) "Supervisory board" means the individual or group of individuals that
556 allocate expenditures from a political issues committee.

557 Section 4. Section **20A-11-101.5** is amended to read:

558 **20A-11-101.5. Disclosure of actual source or recipient required.**

559 (1) As used in this section, "transactional intermediary" means a person, including a
560 credit card company, a financial institution, or a money transfer service, that pays or transfers
561 money to a person on behalf of another person.

562 (2) When, under this chapter, a person makes a detailed listing, discloses or reports the
563 source of a contribution, discloses or reports the source of public service assistance, discloses
564 or reports the person or entity to whom a disbursement is made, or discloses or reports the
565 identity of a donor, the person:

566 (a) shall reveal the actual source of the contribution or public service assistance, the
567 actual person or entity to whom the disbursement is ultimately made, or the actual identity of
568 the donor; and

569 (b) may not merely list, disclose, or report the transactional intermediary.

570 Section 5. Section **20A-11-101.7** is amended to read:

571 **20A-11-101.7. Concealing contributor's identity.**

572 A person is guilty of a class B misdemeanor if the person conspires with another to
573 make a contribution or public service assistance through one or more persons with the intent
574 that:

575 (1) the contribution or public service assistance will ultimately be made to a filing
576 entity specified by the original contributor or a designee of the original contributor; and

577 (2) by making the contribution or public service assistance through one or more
578 persons, the original contributor's identity will not be disclosed in a manner that would be
579 required by law.

580 Section 6. Section **20A-11-201** is amended to read:

581 **20A-11-201. State office -- Separate bank account for campaign funds -- No**
582 **personal use -- State office candidate reporting deadline -- Report other accounts --**
583 **Anonymous contributions.**

584 (1) (a) [Each] A state office candidate or the candidate's personal campaign committee
585 shall deposit [~~each contribution~~] all receipts received in the form of cash or a negotiable

586 instrument into one or more separate campaign accounts in a financial institution that are
587 dedicated only to that purpose.

588 (b) A state office candidate or a candidate's personal campaign committee may not use
589 money deposited in a campaign account for:

590 (i) a personal use expenditure; or

591 (ii) an expenditure prohibited by law.

592 (c) ~~[Each]~~ Except as provided in Subsection (3), a state officeholder or the state
593 officeholder's personal campaign committee shall deposit each contribution and public service
594 assistance received in one or more separate campaign accounts in a financial institution.

595 (d) A state officeholder or a state officeholder's personal campaign committee may not
596 use money deposited in a campaign account for:

597 (i) a personal use expenditure; or

598 (ii) an expenditure prohibited by law.

599 (2) (a) A state office candidate or the candidate's personal campaign committee may
600 not deposit or mingle any contributions received into a personal or business account.

601 (b) ~~[A]~~ Except as provided in Subsection (3), a state officeholder or the state
602 officeholder's personal campaign committee may not deposit or mingle any contributions or
603 public service assistance received into a personal or business account.

604 (3) A state officeholder or the state officeholder's personal campaign committee is not
605 required to deposit public service travel assistance into an account described in Subsection (1),
606 and may, instead, deposit the public service travel assistance into a personal or business
607 account if:

608 (a) the public service travel assistance is received as a reimbursement for personal
609 funds previously expended by the officeholder for travel, accommodations, food, and other
610 costs or expenses relating to the officeholder attending a conference, meeting, tour, or other
611 event, the primary purpose of which is to provide education, training, or information to the
612 officeholder in relation to the duties of the officeholder; and

613 (b) before the officeholder or the officeholder's personal campaign committee deposits
614 the public service travel assistance into a personal or business account, the officeholder
615 discloses the public service travel assistance in accordance with Section 20A-11-204.5.

616 ~~[(3)]~~ (4) If ~~[a person]~~ an individual who is no longer a state office candidate chooses

617 not to expend the money remaining in a campaign account, the ~~[person]~~ individual shall
618 continue to file the year-end summary report required by Section 20A-11-203 until the
619 statement of dissolution and final summary report required by Section 20A-11-205 are filed
620 with the lieutenant governor.

621 ~~[(4)]~~ (5) (a) Except as provided in Subsection ~~[(4)(b)]~~ (5)(b) and Section 20A-11-402,
622 ~~[a person]~~ an individual who is no longer a state office candidate may not expend or transfer
623 the money in a campaign account in a manner that would cause the former state office
624 candidate to recognize the money as taxable income under federal tax law.

625 (b) ~~[A person]~~ An individual who is no longer a state office candidate may transfer the
626 money in a campaign account in a manner that would cause the former state office candidate to
627 recognize the money as taxable income under federal tax law if the transfer is made to a
628 campaign account for federal office.

629 ~~[(5)]~~ (6) (a) As used in this Subsection ~~[(5)]~~ (6), "received" means the same as that
630 term is defined in Subsection 20A-11-204(1)(b).

631 (b) Each state office candidate shall report to the lieutenant governor each contribution
632 received by the state office candidate:

633 (i) except as provided in Subsection ~~[(5)(b)(ii)]~~ (6)(b)(ii), within 31 days after the day
634 on which the contribution is received; or

635 (ii) within seven business days after the day on which the contribution is received, if:

636 (A) the state office candidate is contested in a convention and the contribution is
637 received within 30 days before the day on which the convention is held;

638 (B) the state office candidate is contested in a primary election and the contribution is
639 received within 30 days before the day on which the primary election is held; or

640 (C) the state office candidate is contested in a general election and the contribution is
641 received within 30 days before the day on which the general election is held.

642 (c) Except as provided in Subsection ~~[(5)(d)]~~ (6)(d), for each contribution that a state
643 office candidate fails to report within the time period described in Subsection ~~[(5)(b)]~~ (6)(d),
644 the lieutenant governor shall impose a fine against the state office candidate in an amount equal
645 to:

646 (i) 10% of the amount of the contribution, if the state office candidate reports the
647 contribution within 60 days after the day on which the time period described in Subsection

648 ~~[(5)(b)]~~ (6)(b) ends; or

649 (ii) 20% of the amount of the contribution, if the state office candidate fails to report
650 the contribution within 60 days after the day on which the time period described in Subsection
651 ~~[(5)(b)]~~ (6)(b) ends.

652 (d) The lieutenant governor may waive the fine described in Subsection ~~[(5)(e)]~~ (6)(c)
653 and issue a warning to the state office candidate if:

654 (i) the contribution that the state office candidate fails to report is paid by the state
655 office candidate from the state office candidate's personal funds;

656 (ii) the state office candidate has not previously violated Subsection ~~[(5)(e)]~~ (6)(c) in
657 relation to a contribution paid by the state office candidate from the state office candidate's
658 personal funds; and

659 (iii) the lieutenant governor determines that the failure to timely report the contribution
660 is due to the state office candidate not understanding that the reporting requirement includes a
661 contribution paid by a state office candidate from the state office candidate's personal funds.

662 (e) The lieutenant governor shall:

663 (i) deposit money received under Subsection ~~[(5)(e)]~~ (6)(c) into the General Fund; and

664 (ii) report on the lieutenant governor's website, in the location where reports relating to
665 each state office candidate are available for public access:

666 (A) each fine imposed by the lieutenant governor against the state office candidate;

667 (B) the amount of the fine;

668 (C) the amount of the contribution to which the fine relates; and

669 (D) the date of the contribution.

670 ~~[(6)]~~ (7) (a) As used in this Subsection ~~[(6)]~~ (7), "account" means an account in a
671 financial institution:

672 (i) that is not described in Subsection ~~[(1)(a)]~~ (1); and

673 (ii) into which or from which ~~[a person]~~ an individual who, as a candidate for an office,
674 other than the state office for which the ~~[person]~~ individual files a declaration of candidacy or
675 federal office, or as a holder of an office, other than a state office for which the ~~[person]~~
676 individual files a declaration of candidacy or federal office, deposits a ~~[contribution]~~ receipt or
677 makes an expenditure.

678 (b) A state office candidate shall include on any financial statement filed in accordance

679 with this part:

680 (i) a [~~contribution~~] receipt deposited in an account:

681 (A) since the last campaign finance statement was filed; or

682 (B) that has not been reported under a statute or ordinance that governs the account; or

683 (ii) an expenditure made from an account:

684 (A) since the last campaign finance statement was filed; or

685 (B) that has not been reported under a statute or ordinance that governs the account.

686 [~~(7)~~] (8) Within 31 days after receiving a [~~contribution~~] receipt that is cash or a
687 negotiable instrument, exceeds \$50, and is from an unknown source, a state office candidate
688 shall disburse the amount of the [~~contribution~~] receipt to an organization that is exempt from
689 federal income taxation under Section 501(c)(3), Internal Revenue Code.

690 Section 7. Section **20A-11-203** is amended to read:

691 **20A-11-203. State office candidate -- Financial reporting requirements --**
692 **Year-end summary report.**

693 (1) (a) Each state office candidate shall file a summary report [~~by~~] no earlier than
694 January 1 and no later than January 10 of the year after the regular general election year.

695 (b) In addition to the requirements of Subsection (1)(a), a former state office candidate
696 that has not filed the statement of dissolution and final summary report required under Section
697 **20A-11-205** shall continue to file a summary report [~~on~~] no earlier than January 1 and no later
698 than January 10 of each year.

699 (2) (a) Each summary report shall include the following information as of December 31
700 of the [~~previous~~] year immediately preceding the year of the report:

701 (i) the net balance of the last financial statement, if any;

702 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
703 if any;

704 (iii) a single figure equal to the total amount of expenditures reported on all interim
705 reports, if any, filed during the previous year;

706 (iv) a detailed listing of each contribution received since the last summary report that
707 has not been reported in detail on an interim report;

708 (v) for each nonmonetary contribution:

709 (A) the fair market value of the contribution with that information provided by the

710 contributor; and

711 (B) a specific description of the contribution;

712 (vi) a detailed listing of each expenditure made since the last summary report that has
713 not been reported in detail on an interim report;

714 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;

715 (viii) a net balance for the year consisting of the net balance from the last summary
716 report, if any, plus all receipts minus all expenditures; and

717 (ix) the name of a political action committee for which the state office candidate is
718 designated as an officer who has primary decision-making authority under Section
719 20A-11-601.

720 (b) In preparing the report, all receipts and expenditures shall be reported as of
721 December 31 of the previous year.

722 (c) A check or negotiable instrument received by a state office candidate or a state
723 office candidate's personal campaign committee on or before December 31 of the previous year
724 shall be included in the summary report, unless the negotiable instrument or check is solely for
725 public service travel assistance reported on a public service travel assistance statement.

726 (3) An authorized member of the state office candidate's personal campaign committee
727 or the state office candidate shall certify in the summary report that, to the best of the person's
728 knowledge, all receipts and all expenditures have been reported as of December 31 of the
729 previous year and that there are no bills or obligations outstanding and unpaid except as [~~set~~
730 ~~forth~~] described in that report.

731 Section 8. Section 20A-11-204 is amended to read:

732 **20A-11-204. State office candidate and state officeholder -- Financial reporting**
733 **requirements -- Interim reports.**

734 (1) As used in this section:

735 (a) "Campaign account" means a separate campaign account required under Subsection
736 [~~20A-11-201(1)(a) or (c)~~] 20A-11-201(1).

737 (b) "Received" means:

738 (i) for a cash contribution, that the cash is given to a state office candidate or a member
739 of the state office candidate's personal campaign committee;

740 (ii) for a contribution that is a negotiable instrument or check, that the negotiable

741 instrument or check is negotiated;

742 (iii) for a direct deposit made into a campaign account by a person not associated with
743 the campaign, the earlier of:

744 (A) the day on which the state office candidate or a member of the state office
745 candidate's personal campaign committee becomes aware of the deposit and the source of the
746 deposit;

747 (B) the day on which the state office candidate or a member of the state office
748 candidate's personal campaign committee receives notice of the deposit and the source of the
749 deposit by mail, email, text, or similar means; or

750 (C) 31 days after the day on which the direct deposit occurs; or

751 (iv) for any other type of contribution, that any portion of the contribution's benefit
752 inures to the state office candidate.

753 (2) Except as provided in Subsection (3), each state office candidate shall file an
754 interim report at the following times in any year in which the candidate has filed a declaration
755 of candidacy for a public office:

756 (a) (i) seven days before the candidate's political convention; or

757 (ii) for an unaffiliated candidate, the fourth Saturday in March;

758 (b) seven days before the regular primary election date;

759 (c) September 30; and

760 (d) seven days before the regular general election date.

761 (3) If a state office candidate is a state office candidate seeking appointment for a
762 midterm vacancy, the state office candidate:

763 (a) shall file an interim report:

764 (i) (A) no later than seven days before the day on which the political party of the party
765 for which the state office candidate seeks nomination meets to declare a nominee for the
766 governor to appoint in accordance with Section [20A-1-504](#); and

767 (B) two days before the day on which the political party of the party for which the state
768 office candidate seeks nomination meets to declare a nominee for the governor to appoint in
769 accordance with Subsection [20A-1-504\(1\)\(b\)\(i\)](#); or

770 (ii) if a state office candidate decides to seek the appointment with less than seven days
771 before the party meets, or the political party schedules the meeting to declare a nominee less

772 than seven days before the day of the meeting, no later than 5 p.m. on the last day of business
773 before the day on which the party meets; and

774 (b) is not required to file an interim report at the times described in Subsection (1).

775 (4) Each interim report shall include the following information:

776 (a) the net balance of the last summary report, if any;

777 (b) a single figure equal to the total amount of receipts reported on all prior interim
778 reports, if any, during the calendar year in which the interim report is due;

779 (c) a single figure equal to the total amount of expenditures reported on all prior
780 interim reports, if any, filed during the calendar year in which the interim report is due;

781 (d) a detailed listing of:

782 (i) for a state office candidate, each contribution received since the last summary report
783 that has not been reported in detail on a prior interim report; or

784 (ii) for a state officeholder, each [~~contribution and public service assistance~~] receipt
785 received since the last summary report that has not been reported in detail on a prior interim
786 report;

787 (e) for each nonmonetary contribution:

788 (i) the fair market value of the contribution with that information provided by the
789 contributor; and

790 (ii) a specific description of the contribution;

791 (f) a detailed listing of each expenditure made since the last summary report that has
792 not been reported in detail on a prior interim report;

793 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

794 (h) a net balance for the year consisting of the net balance from the last summary
795 report, if any, plus all receipts since the last summary report minus all expenditures since the
796 last summary report;

797 (i) a summary page in the form required by the lieutenant governor that identifies:

798 (i) beginning balance;

799 (ii) total [~~contributions and public service assistance~~] receipts received during the
800 period since the last statement;

801 (iii) total [~~contributions and public service assistance~~] receipts received to date;

802 (iv) total expenditures during the period since the last statement; and

803 (v) total expenditures to date; and

804 (j) the name of a political action committee for which the state office candidate or state
805 officeholder is designated as an officer who has primary decision-making authority under
806 Section [20A-11-601](#).

807 (5) (a) In preparing each interim report, all receipts and expenditures shall be reported
808 as of five days before the required filing date of the report.

809 (b) Any negotiable instrument or check received by a state office candidate or state
810 officeholder more than five days before the required filing date of a report required by this
811 section shall be included in the interim report, unless the check or negotiable instrument is
812 solely for public service travel assistance reported on a public service travel assistance
813 statement.

814 Section 9. Section **20A-11-204.5** is enacted to read:

815 **20A-11-204.5. State officeholder -- Public service travel assistance statement --**
816 **Alternative disclosure method.**

817 (1) A state officeholder is not required to disclose public service travel assistance under
818 Section [20A-11-203](#), [20A-11-204](#), [20A-11-205](#), or [20A-11-401](#) if:

819 (a) the public service travel assistance is not deposited into an account described in
820 Subsection [20A-11-201](#)(1)(b); and

821 (b) the state officeholder discloses the public service travel assistance, in accordance
822 with this section, within 31 days after the day on which the state officeholder:

823 (i) receives the public service travel assistance; or

824 (ii) receives money to pay for, or reimburse the state officeholder for, the public service
825 travel assistance.

826 (2) A state officeholder may make the disclosure described in Subsection (1)(b) by
827 completing a public service travel assistance statement, on a form provided by the lieutenant
828 governor, that:

829 (a) describes the conference, meeting, tour, or other event in sufficient detail to
830 establish that primary purpose of attending was to provide education, training, or information
831 to the officeholder in relation to the duties of the officeholder; and

832 (b) provides a detailed listing for the public service travel assistance.

833 (3) Notwithstanding any provision of Title 63G, Chapter 2, Government Records

834 Access and Management Act, the lieutenant governor shall make each public service travel
 835 assistance statement filed by a state officeholder available for public inspection and copying no
 836 later than one business day after the statement is filed.

837 (4) The lieutenant governor shall establish procedures for completing, submitting, and
 838 disclosing the public service travel assistance statement, and information disclosed on the
 839 statement:

840 (a) separately from the disclosure of:

841 (i) contributions;

842 (ii) expenditures;

843 (iii) public service general assistance; and

844 (iv) public service travel assistance disclosed under Section [20A-11-302](#), [20A-11-303](#),
 845 [20A-11-304](#), or [20A-11-401](#); and

846 (b) in a manner that clearly identifies that the public service travel assistance:

847 (i) does not constitute a campaign contribution; and

848 (ii) is to pay for the state officeholder to attend a conference, meeting, tour, or other
 849 event, the primary purpose of which is to provide education, training, or information to the
 850 officeholder in relation to the duties of the officeholder.

851 Section 10. Section **20A-11-205** is amended to read:

852 **20A-11-205. State office candidate -- Financial reporting requirements --**
 853 **Termination of duty to report.**

854 (1) Each state office candidate and the candidate's personal campaign committee is
 855 active and subject to interim reporting requirements until:

856 (a) the candidate withdraws or is eliminated in a convention or primary; or

857 (b) if seeking appointment as a midterm vacancy state office candidate:

858 (i) the political party liaison fails to forward the person's name to the governor; or

859 (ii) the governor fails to appoint the person to fill the vacancy.

860 (2) Each state office candidate and the candidate's personal campaign committee is
 861 active and subject to year-end summary reporting requirements until the candidate has filed a
 862 statement of dissolution with the lieutenant governor stating that:

863 (a) the state office candidate or the personal campaign committee is no longer receiving
 864 [~~contributions~~] receipts and is no longer making expenditures;

865 (b) the ending balance on the last summary report filed is zero and the balance in the
866 separate bank account required in Section 20A-11-201 is zero; and

867 (c) a final summary report in the form required by Section 20A-11-203 showing a zero
868 balance is attached to the statement of dissolution.

869 (3) A statement of dissolution and a final summary report may be filed at any time.

870 (4) Each state office candidate and the candidate's personal campaign committee shall
871 continue to file the year-end summary report required by Section 20A-11-203 until the
872 statement of dissolution and final summary report required by this section are filed with the
873 lieutenant governor.

874 Section 11. Section 20A-11-301 is amended to read:

875 **20A-11-301. Legislative office -- Campaign finance requirements -- Candidate as**
876 **a political action committee officer -- No personal use -- Contribution reporting deadline**
877 **-- Report other accounts -- Anonymous contributions.**

878 (1) (a) ~~[(+)-Each]~~ A legislative office candidate [shall deposit each contribution
879 received in] or the candidate's personal campaign committee shall deposit all receipts received
880 in the form of cash or a negotiable instrument into one or more separate accounts in a financial
881 institution that are dedicated only to that purpose.

882 ~~[(+)]~~ (b) A legislative office candidate may:

883 ~~[(A)]~~ (i) receive a contribution from a political action committee registered under
884 Section 20A-11-601; and

885 ~~[(B)]~~ (ii) be designated by a political action committee as an officer who has primary
886 decision-making authority as described in Section 20A-11-601.

887 ~~[(b)]~~ (c) A legislative office candidate or the candidate's personal campaign committee
888 may not use money deposited in an account described in Subsection ~~[(1)(a)(+)]~~ (1)(a) for:

889 (i) a personal use expenditure; or

890 (ii) an expenditure prohibited by law.

891 ~~[(e)]~~ (2) ~~[(+)]~~ (a) ~~[Each]~~ Except as provided in Subsection (4), a legislative officeholder
892 or the legislative officeholder's personal campaign committee shall deposit each contribution
893 and public service assistance received in the form of cash or a negotiable instrument into one or
894 more separate accounts in a financial institution that are dedicated only to that purpose.

895 ~~[(+)]~~ (b) A legislative officeholder may:

896 ~~[(A)]~~ (i) receive a contribution or public service assistance from a political action
897 committee registered under Section 20A-11-601; and

898 ~~[(B)]~~ (ii) be designated by a political action committee as an officer who has primary
899 decision-making authority as described in Section 20A-11-601.

900 ~~[(C)]~~ (c) A legislative officeholder or the legislative officeholder's personal campaign
901 committee may not use money deposited in an account described in Subsection ~~[(1)(c)]~~
902 (1)(a) or (2)(a) for:

- 903 (i) a personal use expenditure; or
- 904 (ii) an expenditure prohibited by law.

905 ~~[(2)]~~ (3) (a) A legislative office candidate or the legislative office candidate's personal
906 campaign committee may not deposit or mingle any contributions received into a personal or
907 business account.

908 (b) ~~[(A)]~~ Except as provided in Subsection (4), a legislative officeholder or the
909 legislative officeholder's personal campaign committee may not deposit or mingle any
910 contributions or public service assistance received into a personal or business account.

911 (4) A legislative officeholder or the legislative officeholder's personal campaign
912 committee is not required to deposit public service travel assistance into an account described
913 in Subsection (1)(a) or (2)(a), and may, instead, deposit the public service travel assistance into
914 a personal or business account if:

915 (a) the public service travel assistance is received as a reimbursement for personal
916 funds previously expended by the officeholder for travel, accommodations, food, and other
917 costs or expenses relating to the officeholder attending a conference, meeting, tour, or other
918 event, the primary purpose of which is to provide education, training, or information to the
919 officeholder in relation to the duties of the officeholder; and

920 (b) before the officeholder or the officeholder's personal campaign committee deposits
921 the public service travel assistance into a personal or business account, the officeholder
922 discloses the public service travel assistance in accordance with Section 20A-11-303.5.

923 ~~[(3)]~~ (5) If ~~[a person]~~ an individual who is no longer a legislative candidate chooses not
924 to expend the money remaining in a campaign account, the ~~[person]~~ individual shall continue
925 to file the year-end summary report required by Section 20A-11-302 until the statement of
926 dissolution and final summary report required by Section 20A-11-304 are filed with the

927 lieutenant governor.

928 ~~[(4)]~~ (6) (a) Except as provided in Subsection ~~[(4)(b)]~~ (6)(b) and Section 20A-11-402,
929 ~~[a person]~~ an individual who is no longer a legislative office candidate may not expend or
930 transfer the money in a campaign account in a manner that would cause the former legislative
931 office candidate to recognize the money as taxable income under federal tax law.

932 (b) ~~[A person]~~ An individual who is no longer a legislative office candidate may
933 transfer the money in a campaign account in a manner that would cause the former legislative
934 office candidate to recognize the money as taxable income under federal tax law if the transfer
935 is made to a campaign account for federal office.

936 ~~[(5)]~~ (7) (a) As used in this Subsection ~~[(5)]~~ (7), "received" means the same as that
937 term is defined in Subsection 20A-11-303(1)(b).

938 (b) Each legislative office candidate shall report to the lieutenant governor each
939 contribution received by the legislative office candidate:

940 (i) except as provided in Subsection ~~[(5)(b)(ii)]~~ (7)(b)(ii), within 31 days after the day
941 on which the contribution is received; or

942 (ii) within seven business days after the day on which the contribution is received, if:

943 (A) the legislative office candidate is contested in a convention and the contribution is
944 received within 30 days before the day on which the convention is held;

945 (B) the legislative office candidate is contested in a primary election and the
946 contribution is received within 30 days before the day on which the primary election is held; or

947 (C) the legislative office candidate is contested in a general election and the
948 contribution is received within 30 days before the day on which the general election is held.

949 (c) Except as provided in Subsection ~~[(5)(d)]~~ (7)(d), for each contribution that a
950 legislative office candidate fails to report within the time period described in Subsection
951 ~~[(5)(b)]~~ (7)(b), the lieutenant governor shall impose a fine against the legislative office
952 candidate in an amount equal to:

953 (i) 10% of the amount of the contribution, if the legislative office candidate reports the
954 contribution within 60 days after the day on which the time period described in Subsection
955 ~~[(5)(b)]~~ (7)(b) ends; or

956 (ii) 20% of the amount of the contribution, if the legislative office candidate fails to
957 report the contribution within 60 days after the day on which the time period described in

958 Subsection ~~[(5)(b)]~~ (7)(b) ends.

959 (d) The lieutenant governor may waive the fine described in Subsection ~~[(5)(c)]~~ (7)(c)
960 and issue a warning to the legislative office candidate if:

961 (i) the contribution that the legislative office candidate fails to report is paid by the
962 legislative office candidate from the legislative office candidate's personal funds;

963 (ii) the legislative office candidate has not previously violated Subsection ~~[(5)(c)]~~
964 (7)(c) in relation to a contribution paid by the legislative office candidate from the legislative
965 office candidate's personal funds; and

966 (iii) the lieutenant governor determines that the failure to timely report the contribution
967 is due to the legislative office candidate not understanding that the reporting requirement
968 includes a contribution paid by a legislative office candidate from the legislative office
969 candidate's personal funds.

970 (e) The lieutenant governor shall:

971 (i) deposit money received under Subsection ~~[(5)(c)]~~ (7)(c) into the General Fund; and

972 (ii) report on the lieutenant governor's website, in the location where reports relating to
973 each legislative office candidate are available for public access:

974 (A) each fine imposed by the lieutenant governor against the legislative office
975 candidate;

976 (B) the amount of the fine;

977 (C) the amount of the contribution to which the fine relates; and

978 (D) the date of the contribution.

979 ~~[(6)]~~ (8) Within 31 days after receiving a contribution that is cash or a negotiable
980 instrument, exceeds \$50, and is from an unknown source, a legislative office candidate shall
981 disburse the amount of the contribution to an organization that is exempt from federal income
982 taxation under Section 501(c)(3), Internal Revenue Code.

983 ~~[(7)]~~ (9) (a) As used in this Subsection ~~[(7)]~~ (9), "account" means an account in a
984 financial institution:

985 (i) that is not described in Subsection ~~[(1)(a)(i)]~~ (1)(a) or (2)(a); and

986 (ii) into which or from which ~~[a person]~~ an individual who, as a candidate for an office,
987 other than a legislative office for which the ~~[person]~~ individual files a declaration of candidacy
988 or federal office, or as a holder of an office, other than a legislative office for which the

989 [person] individual files a declaration of candidacy or federal office, deposits a contribution or
990 makes an expenditure.

991 (b) A legislative office candidate shall include on any financial statement filed in
992 accordance with this part:

993 (i) a [~~contribution~~] receipt deposited in an account:

994 (A) since the last campaign finance statement was filed; or

995 (B) that has not been reported under a statute or ordinance that governs the account; or

996 (ii) an expenditure made from an account:

997 (A) since the last campaign finance statement was filed; or

998 (B) that has not been reported under a statute or ordinance that governs the account.

999 Section 12. Section **20A-11-302** is amended to read:

1000 **20A-11-302. Legislative office candidate -- Financial reporting requirements --**

1001 **Year-end summary report.**

1002 (1) (a) Each legislative office candidate shall file a summary report [~~by~~] no earlier than
1003 January 1 and no later than January 10 of the year after the regular general election year.

1004 (b) In addition to the requirements of Subsection (1)(a), a former legislative office
1005 candidate that has not filed the statement of dissolution and final summary report required
1006 under Section **20A-11-304** shall continue to file a summary report [~~on~~] no earlier than January
1007 1 and no later than January 10 of each year.

1008 (2) (a) Each summary report shall include the following information as of December 31
1009 of the [~~previous~~] year immediately preceding the year of the report:

1010 (i) the net balance of the last financial statement, if any;

1011 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
1012 if any, during the calendar year in which the summary report is due;

1013 (iii) a single figure equal to the total amount of expenditures reported on all interim
1014 reports, if any, filed during the previous year;

1015 (iv) a detailed listing of each contribution received since the last summary report that
1016 has not been reported in detail on an interim report;

1017 (v) for each nonmonetary contribution:

1018 (A) the fair market value of the contribution with that information provided by the
1019 contributor; and

1020 (B) a specific description of the contribution;
1021 (vi) a detailed listing of each expenditure made since the last summary report that has
1022 not been reported in detail on an interim report;
1023 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;
1024 (viii) a net balance for the year consisting of the net balance from the last summary
1025 report, if any, plus all receipts minus all expenditures; and
1026 (ix) the name of a political action committee for which the legislative office candidate
1027 is designated as an officer who has primary decision-making authority under Section
1028 [20A-11-601](#).

1029 (b) In preparing the report, all receipts and expenditures shall be reported as of
1030 December 31 of the previous year.

1031 (c) A check or negotiable instrument received by a legislative office candidate on or
1032 before December 31 of the previous year shall be included in the summary report, unless the
1033 check or negotiable instrument is solely for public service travel assistance reported on a public
1034 service travel assistance statement.

1035 (3) The legislative office candidate shall certify in the summary report that to the best
1036 of the candidate's knowledge, all receipts and all expenditures have been reported as of
1037 December 31 of the previous year and that there are no bills or obligations outstanding and
1038 unpaid except as ~~[set forth]~~ described in that report.

1039 Section 13. Section **20A-11-303** is amended to read:

1040 **20A-11-303. Legislative office candidate and legislative officeholder -- Financial**
1041 **reporting requirements -- Interim reports.**

1042 (1) As used in this section:

1043 (a) "Campaign account" means a separate campaign account required under Subsection
1044 ~~[20A-11-301(1)(a)(i) or (c)(i)]~~ [20A-11-301\(1\)](#) or (2).

1045 (b) "Received" means:

1046 (i) for a cash contribution, that the cash is given to a legislative office candidate or a
1047 member of the legislative office candidate's personal campaign committee;

1048 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
1049 instrument or check is negotiated;

1050 (iii) for a direct deposit made into a campaign account by a person not associated with

1051 the campaign, the earlier of:

1052 (A) the day on which the legislative office candidate or a member of the legislative
1053 office candidate's personal campaign committee becomes aware of the deposit and the source
1054 of the deposit;

1055 (B) the day on which the legislative office candidate or a member of the legislative
1056 office candidate's personal campaign committee receives notice of the deposit and the source of
1057 the deposit by mail, email, text, or similar means; or

1058 (C) 31 days after the day on which the direct deposit occurs; or

1059 (iv) for any other type of contribution, that any portion of the contribution's benefit
1060 inures to the legislative office candidate.

1061 (2) Except as provided in Subsection (3), each legislative office candidate shall file an
1062 interim report at the following times in any year in which the candidate has filed a declaration
1063 of candidacy for a public office:

1064 (a) (i) seven days before the candidate's political convention; or

1065 (ii) for an unaffiliated candidate, the fourth Saturday in March;

1066 (b) seven days before the regular primary election date;

1067 (c) September 30; and

1068 (d) seven days before the regular general election date.

1069 (3) If a legislative office candidate is a legislative office candidate seeking appointment
1070 for a midterm vacancy, the legislative office candidate:

1071 (a) shall file an interim report:

1072 (i) (A) seven days before the day on which the political party of the party for which the
1073 legislative office candidate seeks nomination meets to declare a nominee for the governor to
1074 appoint in accordance with Section [20A-1-503](#); and

1075 (B) two days before the day on which the political party of the party for which the
1076 legislative office candidate seeks nomination meets to declare a nominee for the governor to
1077 appoint in accordance with Section [20A-1-503](#); or

1078 (ii) if the legislative office candidate decides to seek the appointment with less than
1079 seven days before the party meets, or the political party schedules the meeting to declare a
1080 nominee less than seven days before the day of the meeting, two days before the day on which
1081 the party meets; and

- 1082 (b) is not required to file an interim report at the times described in Subsection (2)(a).
- 1083 (4) Each interim report shall include the following information:
- 1084 (a) the net balance of the last summary report, if any;
- 1085 (b) a single figure equal to the total amount of receipts reported on all prior interim
- 1086 reports, if any, during the calendar year in which the interim report is due;
- 1087 (c) a single figure equal to the total amount of expenditures reported on all prior
- 1088 interim reports, if any, filed during the calendar year in which the interim report is due;
- 1089 (d) a detailed listing of:
- 1090 (i) for a legislative office candidate, each contribution received since the last summary
- 1091 report that has not been reported in detail on a prior interim report; or
- 1092 (ii) for a legislative officeholder, each [~~contribution and public service assistance~~]
- 1093 receipt received since the last summary report that has not been reported in detail on a prior
- 1094 interim report;
- 1095 (e) for each nonmonetary contribution:
- 1096 (i) the fair market value of the contribution with that information provided by the
- 1097 contributor; and
- 1098 (ii) a specific description of the contribution;
- 1099 (f) a detailed listing of each expenditure made since the last summary report that has
- 1100 not been reported in detail on a prior interim report;
- 1101 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 1102 (h) a net balance for the year consisting of the net balance from the last summary
- 1103 report, if any, plus all receipts since the last summary report minus all expenditures since the
- 1104 last summary report;
- 1105 (i) a summary page in the form required by the lieutenant governor that identifies:
- 1106 (i) beginning balance;
- 1107 (ii) total [~~contributions and public service assistance~~] receipts received during the
- 1108 period since the last statement;
- 1109 (iii) total [~~contributions and public service~~] receipts assistance received to date;
- 1110 (iv) total expenditures during the period since the last statement; and
- 1111 (v) total expenditures to date; and
- 1112 (j) the name of a political action committee for which the legislative office candidate or

1113 legislative officeholder is designated as an officer who has primary decision-making authority
1114 under Section [20A-11-601](#).

1115 (5) (a) In preparing each interim report, all receipts and expenditures shall be reported
1116 as of five days before the required filing date of the report.

1117 (b) Any negotiable instrument or check received by a legislative office candidate or
1118 legislative officeholder more than five days before the required filing date of a report required
1119 by this section shall be included in the interim report, unless the negotiable instrument or check
1120 is solely for public service travel assistance reported on a public service travel assistance
1121 statement.

1122 Section 14. Section **20A-11-303.5** is enacted to read:

1123 **20A-11-303.5. Legislative officeholder -- Public service travel assistance statement**
1124 **-- Alternative disclosure method.**

1125 (1) A legislative officeholder is not required to disclose public service travel assistance
1126 under Section [20A-11-302](#), [20A-11-303](#), [20A-11-304](#), or [20A-11-401](#) if:

1127 (a) the public service travel assistance is not deposited into an account described in
1128 Subsection [20A-11-301](#)(1)(a) or (2)(a); and

1129 (b) the legislative officeholder discloses the public service travel assistance, in
1130 accordance with this section, within 31 days after the day on which the legislative officeholder:

1131 (i) receives the public service travel assistance; or

1132 (ii) receives money to pay for, or reimburse the legislative officeholder for, the public
1133 service travel assistance.

1134 (2) A legislative officeholder may make the disclosure described in Subsection (1)(b)
1135 by completing a public service travel assistance statement, on a form provided by the lieutenant
1136 governor, that:

1137 (a) describes the conference, meeting, tour, or other event in sufficient detail to
1138 establish that the primary purpose of attending was to provide education, training, or
1139 information to the officeholder in relation to the duties of the officeholder; and

1140 (b) provides a detailed listing for the public service travel assistance.

1141 (3) Notwithstanding any provision of Title 63G, Chapter 2, Government Records
1142 Access and Management Act, the lieutenant governor shall make each public service travel
1143 assistance statement filed by a legislative officeholder available for public inspection and

1144 copying no later than one business day after the statement is filed.

1145 (4) The lieutenant governor shall establish procedures for completing, submitting, and
1146 disclosing the public service travel assistance statement, and information disclosed on the
1147 statement:

1148 (a) separately from the disclosure of:

1149 (i) contributions;

1150 (ii) expenditures;

1151 (iii) public service general assistance; and

1152 (iv) public service travel assistance disclosed under Section [20A-11-302](#), [20A-11-303](#),
1153 [20A-11-304](#), or [20A-11-401](#); and

1154 (b) in a manner that clearly identifies that the public service travel assistance:

1155 (i) does not constitute a campaign contribution; and

1156 (ii) is to pay for the legislative officeholder to attend a conference, meeting, tour, or
1157 other event, the primary purpose of which is to provide education, training, or information to
1158 the officeholder in relation to the duties of the officeholder.

1159 Section 15. Section **20A-11-304** is amended to read:

1160 **20A-11-304. Legislative office candidate -- Financial reporting requirements --**
1161 **Termination of duty to report.**

1162 (1) Each legislative office candidate is subject to interim reporting requirements until:

1163 (a) the candidate withdraws or is eliminated in a convention or primary; or

1164 (b) if seeking appointment as a midterm vacancy legislative office candidate:

1165 (i) the political party liaison fails to forward the person's name to the governor; or

1166 (ii) the governor fails to appoint the person to fill the vacancy.

1167 (2) Each legislative office candidate is subject to year-end summary reporting

1168 requirements until the candidate has filed a statement of dissolution with the lieutenant
1169 governor stating that:

1170 (a) the legislative office candidate is no longer receiving [~~contributions~~] receipts and is
1171 no longer making expenditures;

1172 (b) the ending balance on the last summary report filed is zero and the balance in the
1173 separate bank account required in Section [20A-11-301](#) is zero; and

1174 (c) a final summary report in the form required by Section [20A-11-302](#) showing a zero

1175 balance is attached to the statement of dissolution.

1176 (3) A statement of dissolution and a final summary report may be filed at any time.

1177 (4) Each legislative office candidate shall continue to file the year-end summary report

1178 required by Section 20A-11-302 until the statement of dissolution and final summary report

1179 required by this section are filed with the lieutenant governor.

1180 Section 16. Section 20A-11-401 is amended to read:

1181 **20A-11-401. Officeholder financial reporting requirements -- Year-end summary**

1182 **report -- Officeholder as a political action committee officer -- Anonymous contribution**

1183 **or public service assistance.**

1184 (1) (a) Each officeholder shall file a summary report by January 10 of each year.

1185 (b) An officeholder that is required to file a summary report both as an officeholder and

1186 as a candidate for office under the requirements of this chapter may file a single summary

1187 report as a candidate and an officeholder, provided that the combined report meets the

1188 requirements of:

1189 (i) this section; and

1190 (ii) the section that provides the requirements for the summary report filed by the

1191 officeholder in the officeholder's capacity of a candidate for office.

1192 (2) (a) Each summary report shall include the following information as of December 31

1193 of the previous year:

1194 (i) the net balance of the last summary report, if any;

1195 (ii) a single figure equal to the total amount of receipts received since the last summary

1196 report, if any;

1197 (iii) a single figure equal to the total amount of expenditures made since the last

1198 summary report, if any;

1199 (iv) a detailed listing of each [~~contribution and public service assistance~~] receipt

1200 received since the last summary report;

1201 (v) for each nonmonetary contribution:

1202 (A) the fair market value of the contribution with that information provided by the

1203 contributor; and

1204 (B) a specific description of the contribution;

1205 (vi) a detailed listing of each expenditure made since the last summary report;

1206 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;

1207 (viii) a net balance for the year consisting of the net balance from the last summary

1208 report plus all receipts minus all expenditures; and

1209 (ix) the name of a political action committee for which the officeholder is designated

1210 as an officer who has primary decision-making authority under Section 20A-11-601.

1211 (b) In preparing the report, all receipts and expenditures shall be reported as of

1212 December 31 of the previous year.

1213 (3) The summary report shall contain a paragraph signed by the officeholder certifying

1214 that, to the best of the officeholder's knowledge, all receipts and all expenditures have been

1215 reported as of December 31 of the last calendar year and that there are no bills or obligations

1216 outstanding and unpaid except as set forth in that report.

1217 (4) An officeholder may:

1218 (a) receive public service assistance from a political action committee registered under

1219 Section 20A-11-601; and

1220 (b) be designated by a political action committee as an officer who has primary

1221 decision-making authority as described in Section 20A-11-601.

1222 (5) Within 31 days after receiving [~~a contribution or public service assistance that is~~]

1223 receipts that are cash or a negotiable instrument, exceeds \$50, and is from an unknown source,

1224 an officeholder shall disburse the amount of the [~~contribution or public service assistance~~]

1225 receipts to:

1226 (a) the treasurer of the state or a political subdivision for deposit into the state's or

1227 political subdivision's general fund; or

1228 (b) an organization that is exempt from federal income taxation under Section

1229 501(c)(3), Internal Revenue Code.

1230 Section 17. Section 20A-11-402 is amended to read:

1231 **20A-11-402. Officeholder financial reporting requirements -- Statement of**

1232 **dissolution.**

1233 (1) An officeholder or former officeholder is active and subject to reporting

1234 requirements until the officeholder or former officeholder has filed a statement of dissolution

1235 with the lieutenant governor stating that:

1236 (a) the officeholder or former officeholder is no longer receiving [~~contributions or~~

1237 ~~public service assistance~~ receipts and is no longer making expenditures;

1238 (b) the ending balance on the last summary report filed is zero and the balance in the
1239 separate bank account required by Section 20A-11-201, 20A-11-301, or 20A-11-1301 is zero;
1240 and

1241 (c) a final summary report in the form required by Section 20A-11-401 showing a zero
1242 balance is attached to the statement of dissolution.

1243 (2) A statement of dissolution and a final summary report may be filed at any time.

1244 (3) (a) Each officeholder shall report to the lieutenant governor each [~~contribution or~~
1245 ~~public service assistance~~] receipt received by the state officeholder within 31 days after the day
1246 on which the officeholder receives the contribution or public service assistance.

1247 (b) For each [~~contribution or public service assistance~~] receipt that an officeholder fails
1248 to report within the time period described in Subsection (3)(a), the lieutenant governor shall
1249 impose a fine against the officeholder in an amount equal to:

1250 (i) 10% of the amount of the [~~contribution or public service assistance~~] receipt if the
1251 officeholder reports the contribution or public service assistance within 60 days after the day on
1252 which the time period described in Subsection (3)(a) ends; or

1253 (ii) 20% of the amount of the contribution or public service assistance if the
1254 officeholder fails to report the [~~contribution or public service assistance~~] receipt within 60 days
1255 after the day on which the time period described in Subsection (3)(a) ends.

1256 (c) Each officeholder or former officeholder shall continue to file the year-end
1257 summary report required by Section 20A-11-401 until the statement of dissolution and final
1258 summary report required by this section are filed with the lieutenant governor.

1259 (4) An officeholder or former officeholder may not use a contribution or public service
1260 assistance deposited in an account in accordance with this chapter for:

1261 (a) a personal use expenditure; or

1262 (b) an expenditure prohibited by law.

1263 (5) (a) Except as provided in Subsection (5)(b), a former officeholder may not expend
1264 or transfer the money in a campaign account in a manner that would cause the former
1265 officeholder to recognize the money as taxable income under federal tax law.

1266 (b) A former officeholder may transfer the money in a campaign account in a manner
1267 that would cause the former officeholder to recognize the money as taxable income under

1268 federal tax law if the transfer is made to a campaign account for federal office.

1269 Section 18. Section **20A-11-505.7** is amended to read:

1270 **20A-11-505.7. Separate account for contributions for registered political party --**
1271 **Anonymous contributions to registered political party or county political party.**

1272 (1) A registered political party shall deposit a contribution received in one or more
1273 separate campaign accounts in a financial institution.

1274 (2) A registered political party may not deposit or mingle a contribution received into a
1275 personal or business account.

1276 (3) A registered political party or county political party may not expend a contribution
1277 for a political [~~purposes~~] purpose or a political issues expenditure if the contribution:

1278 (a) is cash or a negotiable instrument;

1279 (b) exceeds \$50; and

1280 (c) is from an unknown source.

1281 Section 19. Section **20A-11-601** is amended to read:

1282 **20A-11-601. Political action committees -- Registration -- Name or acronym used**
1283 **by political action committee -- Criminal penalty for providing false information or**
1284 **accepting unlawful contribution.**

1285 (1) (a) A political action committee shall file an initial statement of organization with
1286 the lieutenant governor's office no later than 5 p.m. seven days after the day on which the
1287 political action committee:

1288 (i) receives contributions totaling at least \$750; or

1289 (ii) distributes expenditures for a political [~~purposes~~] purpose totaling at least \$750.

1290 (b) Unless the political action committee has filed a notice of dissolution under
1291 Subsection (7), after filing an initial statement of organization, a political action committee
1292 shall file an updated statement of organization with the lieutenant governor's office each year
1293 after the year in which the political action committee files an initial statement of organization:

1294 (i) before 5 p.m. on January 10; or

1295 (ii) electronically, before midnight on January 10.

1296 (c) After filing an initial statement of organization, a political action committee shall,
1297 before January 10 each year after the year in which the political action committee files an initial
1298 statement of organization, file an updated statement of organization with the lieutenant

- 1299 governor's office.
- 1300 (2) A statement of organization described in Subsection (1) shall include:
- 1301 (a) the full name of the political action committee, a second name, if any, and an
- 1302 acronym, if any;
- 1303 (b) the address and phone number of the political action committee;
- 1304 (c) the name, address, telephone number, title, and occupation of:
- 1305 (i) the two officers described in Subsection (5) and the treasurer of the political action
- 1306 committee;
- 1307 (ii) all other officers, advisory members, and governing board members of the political
- 1308 action committee; and
- 1309 (iii) each individual or entity represented by, or affiliated with, the political action
- 1310 committee; and
- 1311 (d) other relevant information requested by the lieutenant governor.
- 1312 (3) (a) A political action committee may not use a name or acronym:
- 1313 (i) other than a name or acronym disclosed in the political action committee's latest
- 1314 statement of organization;
- 1315 (ii) that is the same, or deceptively similar to, the name or acronym of another political
- 1316 action committee; or
- 1317 (iii) that is likely to mislead a potential donor regarding the individuals or entities
- 1318 represented by, or affiliated with, the political action committee.
- 1319 (b) Within seven days after the day on which a political action committee files an
- 1320 initial statement of organization, the lieutenant governor's office shall:
- 1321 (i) review the statement and determine whether a name or acronym used by the
- 1322 political action committee violates Subsection (3)(a)(ii) or (iii); and
- 1323 (ii) if the lieutenant governor's office determines that a name or acronym used by the
- 1324 political action committee violates Subsection (3)(a)(ii) or (iii), order, in writing, that the
- 1325 political action committee:
- 1326 (A) immediately cease and desist use of the name or acronym; and
- 1327 (B) within seven days after the day of the order, file an updated statement of
- 1328 organization with a name and acronym that does not violate Subsection (3)(a)(ii) or (iii).
- 1329 (c) If a political action committee uses a name or acronym that is the same, or

1330 deceptively similar to, the name or acronym of another political action committee, the
1331 lieutenant governor shall determine which political action committee has been using the name
1332 the longest and shall order, in writing, any other political action committee using the same, or a
1333 deceptively similar, name or acronym to:

1334 (i) immediately cease and desist use of the name or acronym; and
1335 (ii) within seven days after the day of the order, file an updated statement of
1336 organization with a name and acronym that does not violate Subsection (3)(a)(ii) or (iii).

1337 (d) If a political action committee uses a name or acronym other than a name or
1338 acronym disclosed in the political action committee's latest statement of organization:

1339 (i) the lieutenant governor shall order, in writing, that the political action committee
1340 cease and desist use of the name or acronym; and

1341 (ii) the political action committee shall immediately comply with the order described in
1342 Subsection (3)(d)(i).

1343 (4) (a) The lieutenant governor may, in addition to any other penalty provided by law,
1344 impose a \$100 fine against a political action committee, or against an individual who forms a
1345 political action committee, that:

1346 (i) fails to timely file a complete and accurate statement of organization or subsequent
1347 statement of organization; or

1348 (ii) fails to comply with an order described in Subsection (3).

1349 (b) If the lieutenant governor imposes a fine described in Subsection (4)(a)(i):

1350 (i) the person against whom the fine is imposed shall, within seven days after the day
1351 on which the lieutenant governor imposes the fine:

1352 (A) pay the fine; and

1353 (B) file a complete and accurate statement, or subsequent statement, of organization, as
1354 applicable; and

1355 (ii) the lieutenant governor shall provide written notice to the person against whom the
1356 fine is imposed:

1357 (A) of the requirements described in Subsection (4)(b)(i); and

1358 (B) that failure to timely comply with the requirement described in Subsection
1359 (4)(b)(i)(B) is a class B misdemeanor.

1360 (c) The attorney general, or a political action committee that is harmed by the action of

1361 a political action committee in violation of this section, may bring an action for an injunction
1362 against the violating political action committee, or an officer of the violating political action
1363 committee, to enforce the provisions of this section.

1364 (d) A political action committee may bring an action for damages against another
1365 political action committee that uses a name or acronym that is the same, or deceptively similar
1366 to, the name or acronym of the political action committee bringing the action.

1367 (5) (a) Each political action committee shall designate two officers who have primary
1368 decision-making authority for the political action committee.

1369 (b) An individual may not exercise primary decision-making authority for a political
1370 action committee if the individual is not designated under Subsection (5)(a).

1371 (6) A political action committee shall deposit each contribution received in one or
1372 more separate accounts in a financial institution that are dedicated only to that purpose.

1373 (7) (a) A registered political action committee that intends to permanently cease
1374 operations shall file a notice of dissolution with the lieutenant governor's office.

1375 (b) A notice of dissolution filed by a political action committee does not exempt the
1376 political action committee from complying with the financial reporting requirements described
1377 in this chapter in relation to all contributions received, and all expenditures made, before, at, or
1378 after dissolution.

1379 (c) A political action committee shall, before filing a notice of dissolution, dispose of
1380 any money remaining in an account described in Subsection (6) by:

1381 (i) returning the money to the donors;

1382 (ii) donating the money to the campaign account of a candidate or officeholder;

1383 (iii) donating the money to another political action committee;

1384 (iv) donating the money to a political party;

1385 (v) donating the money to an organization that is exempt from federal income taxation
1386 under Section 501(c)(3), Internal Revenue Code; or

1387 (vi) making another lawful expenditure of the money for a political purpose.

1388 (d) A political action committee shall report all money donated or expended in a
1389 financial report to the lieutenant governor, in accordance with the financial reporting
1390 requirements described in this chapter.

1391 (8) (a) Unless the political action committee has filed a notice of dissolution under

1392 Subsection (7), a political action committee shall file, with the lieutenant governor's office,
1393 notice of any change of an officer described in Subsection (5)(a).

1394 (b) A political action committee may not accept a contribution from a political issues
1395 committee, but may donate money to a political issues committee.

1396 (c) A political action committee shall:

1397 (i) file a notice of a change of a primary officer described in Subsection (5)(a) before 5
1398 p.m. within 10 days after the day on which the change occurs; and

1399 (ii) include in the notice of change the name and title of the officer being replaced, and
1400 the name, address, occupation, and title of the new officer.

1401 (9) (a) A person is guilty of providing false information in relation to a political action
1402 committee if the person intentionally or knowingly gives false or misleading material
1403 information in a statement of organization or the notice of change of primary officer.

1404 (b) Each primary officer designated in Subsection (5)(a) or (8)(c) is guilty of accepting
1405 an unlawful contribution if the political action committee knowingly or recklessly accepts a
1406 contribution from a corporation that:

1407 (i) was organized less than 90 days before the date of the general election; and

1408 (ii) at the time the political action committee accepts the contribution, has failed to file
1409 a statement of organization with the lieutenant governor's office as required by Section
1410 [20A-11-704](#).

1411 (c) A violation of this Subsection (9) is a third degree felony.

1412 Section 20. Section **20A-11-602** is amended to read:

1413 **20A-11-602. Political action committees -- Financial reporting.**

1414 (1) (a) Each registered political action committee that has received contributions
1415 totaling at least \$750, or disbursed expenditures totaling at least \$750, during a calendar year
1416 shall file a verified financial statement with the lieutenant governor's office:

1417 (i) on January 10, reporting contributions and expenditures as of December 31 of the
1418 previous year;

1419 (ii) seven days before the state political convention of each major political party;

1420 (iii) seven days before the county political convention of a political party, if the
1421 political action committee makes an expenditure on or before the day described in Subsection
1422 (1)(b)(ii) in relation to a candidate that the party may nominate at the convention;

- 1423 (iv) seven days before the regular primary election date;
- 1424 (v) on September 30; and
- 1425 (vi) seven days before:
- 1426 (A) the municipal general election; and
- 1427 (B) the regular general election.
- 1428 (b) The registered political action committee shall report:
- 1429 (i) a detailed listing of all contributions received and expenditures made since the last
- 1430 statement; and
- 1431 (ii) for a financial statement described in Subsections (1)(a)(ii) through (v), all
- 1432 contributions and expenditures as of five days before the required filing date of the financial
- 1433 statement.
- 1434 (c) The registered political action committee need not file a statement under this
- 1435 section if it received no contributions and made no expenditures during the reporting period.
- 1436 (2) (a) The verified financial statement shall include:
- 1437 (i) the name and address of any individual who makes a contribution to the reporting
- 1438 political action committee, if known, and the amount of the contribution;
- 1439 (ii) the identification of any publicly identified class of individuals that makes a
- 1440 contribution to the reporting political action committee, if known, and the amount of the
- 1441 contribution;
- 1442 (iii) the name and address of any political action committee, group, or entity, if known,
- 1443 that makes a contribution to the reporting political action committee, and the amount of the
- 1444 contribution;
- 1445 (iv) for each nonmonetary contribution, the fair market value of the contribution;
- 1446 (v) the name and address of each reporting entity that received an expenditure from the
- 1447 reporting political action committee, and the amount of each expenditure;
- 1448 (vi) for each nonmonetary expenditure, the fair market value of the expenditure;
- 1449 (vii) the total amount of contributions received and expenditures disbursed by the
- 1450 reporting political action committee;
- 1451 (viii) a statement by the political action committee's treasurer or chief financial officer
- 1452 certifying that, to the best of the person's knowledge, the financial report is accurate; and
- 1453 (ix) a summary page in the form required by the lieutenant governor that identifies:

- 1454 (A) beginning balance;
- 1455 (B) total contributions during the period since the last statement;
- 1456 (C) total contributions to date;
- 1457 (D) total expenditures during the period since the last statement; and
- 1458 (E) total expenditures to date.
- 1459 (b) (i) Contributions received by a political action committee that have a value of \$50
- 1460 or less need not be reported individually, but shall be listed on the report as an aggregate total.
- 1461 (ii) Two or more contributions from the same source that have an aggregate total of
- 1462 more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 1463 (c) A political action committee is not required to report an independent expenditure
- 1464 under Part 17, Independent Expenditures, if, in the financial statement described in this section,
- 1465 the political action committee:
 - 1466 (i) includes the independent expenditure;
 - 1467 (ii) identifies the independent expenditure as an independent expenditure; and
 - 1468 (iii) provides the information, described in Section [20A-11-1704](#), in relation to the
 - 1469 independent expenditure.
- 1470 (3) A group or entity may not divide or separate into units, sections, or smaller groups
- 1471 for the purpose of avoiding the financial reporting requirements of this chapter, and substance
- 1472 shall prevail over form in determining the scope or size of a political action committee.
- 1473 (4) (a) As used in this Subsection (4), "received" means:
 - 1474 (i) for a cash contribution, that the cash is given to a political action committee;
 - 1475 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
 - 1476 instrument or check is negotiated; and
 - 1477 (iii) for any other type of contribution, that any portion of the contribution's benefit
 - 1478 inures to the political action committee.
- 1479 (b) A political action committee shall report each contribution to the lieutenant
- 1480 governor within 31 days after the contribution is received.
- 1481 (5) A political action committee may not expend a contribution for a political
- 1482 ~~[purposes]~~ purpose if the contribution:
 - 1483 (a) is cash or a negotiable instrument;
 - 1484 (b) exceeds \$50; and

1485 (c) is from an unknown source.

1486 (6) Within 31 days after receiving a contribution that is cash or a negotiable
1487 instrument, exceeds \$50, and is from an unknown source, a political action committee shall
1488 disburse the amount of the contribution to:

1489 (a) the treasurer of the state or a political subdivision for deposit into the state's or
1490 political subdivision's general fund; or

1491 (b) an organization that is exempt from federal income taxation under Section
1492 501(c)(3), Internal Revenue Code.

1493 Section 21. Section **20A-11-701.1** is amended to read:

1494 **20A-11-701.1. Definitions.**

1495 As used in this part, "political [~~purposes~~] purpose" means an act done with the intent or
1496 in a way to influence or tend to influence, directly or indirectly:

1497 (1) any person to refrain from voting or to vote for or against any:

1498 (a) candidate or a person seeking a municipal or county office at any caucus, political
1499 convention, or election;

1500 (b) judge standing for retention at any election;

1501 (c) ballot proposition; or

1502 (d) incorporation election; or

1503 (2) any person to sign, refrain from signing, remove the person's signature from, or
1504 refrain from removing the person's signature from, a petition for a ballot proposition or an
1505 incorporation petition.

1506 Section 22. Section **20A-11-701.5** is amended to read:

1507 **20A-11-701.5. Campaign financial reporting by corporations -- Filing**
1508 **requirements -- Statement contents.**

1509 (1) (a) Each corporation that has made expenditures for a political [~~purposes~~] purpose
1510 that total at least \$750 during a calendar year shall file a verified financial statement with the
1511 lieutenant governor's office:

1512 (i) on January 10, reporting expenditures as of December 31 of the previous year;

1513 (ii) seven days before the state political convention for each major political party;

1514 (iii) seven days before the regular primary election date;

1515 (iv) on September 30; and

- 1516 (v) seven days before the regular general election date.
- 1517 (b) The corporation shall report:
 - 1518 (i) a detailed listing of all expenditures made since the last financial statement;
 - 1519 (ii) for a financial statement described in Subsections (1)(a)(ii) through (v), all
 - 1520 expenditures as of five days before the required filing date of the financial statement; and
 - 1521 (iii) whether the corporation, including an officer of the corporation, director of the
 - 1522 corporation, or person with at least 10% ownership in the corporation:
 - 1523 (A) has bid since the last financial statement on a contract, as defined in Section
 - 1524 63G-6a-103, in excess of \$100,000;
 - 1525 (B) is currently bidding on a contract, as defined in Section 63G-6a-103, in excess of
 - 1526 \$100,000; or
 - 1527 (C) is a party to a contract, as defined in Section 63G-6a-103, in excess of \$100,000.
 - 1528 (c) The corporation need not file a financial statement under this section if the
 - 1529 corporation made no expenditures during the reporting period.
 - 1530 (d) The corporation is not required to report an expenditure made to, or on behalf of, a
 - 1531 reporting entity that the reporting entity is required to include in a financial statement described
 - 1532 in this chapter, Chapter 12, Part 2, Judicial Retention Elections, Section 10-3-208, or Section
 - 1533 17-16-6.5.
- 1534 (2) The financial statement shall include:
 - 1535 (a) the name and address of each reporting entity that received an expenditure from the
 - 1536 corporation, and the amount of each expenditure;
 - 1537 (b) the total amount of expenditures disbursed by the corporation; and
 - 1538 (c) a statement by the corporation's treasurer or chief financial officer certifying the
 - 1539 accuracy of the financial statement.
- 1540 Section 23. Section 20A-11-904 is amended to read:
 - 1541 **20A-11-904. Contribution given in another's name prohibited.**
 - 1542 A person may not:
 - 1543 (1) make a contribution or provide public service assistance in the name of another;
 - 1544 (2) knowingly permit another to make a contribution or provide public service
 - 1545 assistance in the person's name; or
 - 1546 (3) knowingly accept a contribution or public service assistance made by one person in

1547 the name of another.

1548 Section 24. Section **20A-11-1202** is amended to read:

1549 **20A-11-1202. Definitions.**

1550 As used in this part:

1551 (1) "Applicable election officer" means:

1552 (a) a county clerk, if the email relates only to a local election; or

1553 (b) the lieutenant governor, if the email relates to an election other than a local
1554 election.

1555 (2) "Ballot proposition" means constitutional amendments, initiatives, referenda,
1556 judicial retention questions, opinion questions, bond approvals, or other questions submitted to
1557 the voters for their approval or rejection.

1558 (3) "Campaign contribution" means any of the following when done for a political
1559 purpose or to advocate for or against a ballot proposition:

1560 (a) a gift, subscription, donation, loan, advance, deposit of money, or anything of value
1561 given to a filing entity;

1562 (b) an express, legally enforceable contract, promise, or agreement to make a gift,
1563 subscription, donation, unpaid or partially unpaid loan, advance, deposit of money, or anything
1564 of value to a filing entity;

1565 (c) any transfer of funds from another reporting entity to a filing entity;

1566 (d) compensation paid by any person or reporting entity other than the filing entity for
1567 personal services provided without charge to the filing entity;

1568 (e) remuneration from:

1569 (i) any organization or the organization's directly affiliated organization that has a
1570 registered lobbyist; or

1571 (ii) any agency or subdivision of the state, including a school district; or

1572 (f) an in-kind contribution.

1573 (4) (a) "Commercial interlocal cooperation agency" means an interlocal cooperation
1574 agency that receives its revenues from conduct of its commercial operations.

1575 (b) "Commercial interlocal cooperation agency" does not mean an interlocal
1576 cooperation agency that receives some or all of its revenues from:

1577 (i) government appropriations;

- 1578 (ii) taxes;
- 1579 (iii) government fees imposed for regulatory or revenue raising purposes; or
- 1580 (iv) interest earned on public funds or other returns on investment of public funds.
- 1581 (5) "Expenditure" means:
- 1582 (a) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
- 1583 or anything of value;
- 1584 (b) an express, legally enforceable contract, promise, or agreement to make any
- 1585 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
- 1586 value;
- 1587 (c) a transfer of funds between a public entity and a candidate's personal campaign
- 1588 committee;
- 1589 (d) a transfer of funds between a public entity and a political issues committee; or
- 1590 (e) goods or services provided to or for the benefit of a candidate, a candidate's
- 1591 personal campaign committee, or a political issues committee for a political [purposes] purpose
- 1592 at less than fair market value.
- 1593 (6) "Filing entity" means the same as that term is defined in Section [20A-11-101](#).
- 1594 (7) "Governmental interlocal cooperation agency" means an interlocal cooperation
- 1595 agency that receives some or all of its revenues from:
- 1596 (a) government appropriations;
- 1597 (b) taxes;
- 1598 (c) government fees imposed for regulatory or revenue raising purposes; or
- 1599 (d) interest earned on public funds or other returns on investment of public funds.
- 1600 (8) "Influence" means to campaign or advocate for or against a ballot proposition.
- 1601 (9) "Interlocal cooperation agency" means an entity created by interlocal agreement
- 1602 under the authority of Title 11, Chapter 13, Interlocal Cooperation Act.
- 1603 (10) "Local district" means an entity under Title 17B, Limited Purpose Local
- 1604 Government Entities - Local Districts, and includes a special service district under Title 17D,
- 1605 Chapter 1, Special Service District Act.
- 1606 (11) "Political [purposes] purpose" means an act done with the intent or in a way to
- 1607 influence or intend to influence, directly or indirectly, any person to refrain from voting or to
- 1608 vote for or against any:

1609 (a) candidate for public office at any caucus, political convention, primary, or election;

1610 or

1611 (b) judge standing for retention at any election.

1612 (12) "Proposed initiative" means an initiative proposed in an application filed under

1613 Section [20A-7-202](#) or [20A-7-502](#).

1614 (13) "Proposed referendum" means a referendum proposed in an application filed

1615 under Section [20A-7-302](#) or [20A-7-602](#).

1616 (14) (a) "Public entity" includes the state, each state agency, each county, municipality,

1617 school district, local district, governmental interlocal cooperation agency, and each

1618 administrative subunit of each of them.

1619 (b) "Public entity" does not include a commercial interlocal cooperation agency.

1620 (c) "Public entity" includes local health departments created under Title 26, Chapter 1,

1621 Department of Health Organization.

1622 (15) (a) "Public funds" means any money received by a public entity from

1623 appropriations, taxes, fees, interest, or other returns on investment.

1624 (b) "Public funds" does not include money donated to a public entity by a person or

1625 entity.

1626 (16) (a) "Public official" means an elected or appointed member of government with

1627 authority to make or determine public policy.

1628 (b) "Public official" includes the person or group that:

1629 (i) has supervisory authority over the personnel and affairs of a public entity; and

1630 (ii) approves the expenditure of funds for the public entity.

1631 (17) "Reporting entity" means the same as that term is defined in Section [20A-11-101](#).

1632 (18) (a) "State agency" means each department, commission, board, council, agency,

1633 institution, officer, corporation, fund, division, office, committee, authority, laboratory, library,

1634 unit, bureau, panel, or other administrative unit of the state.

1635 (b) "State agency" includes the legislative branch, the Utah Board of Higher Education,

1636 each institution of higher education board of trustees, and each higher education institution.

1637 Section 25. Section [20A-11-1203](#) is amended to read:

1638 **20A-11-1203. Public entity prohibited from expending public funds on certain**

1639 **electoral matters.**

- 1640 (1) Unless specifically required by law, and except as provided in Section
1641 20A-11-1206, a public entity may not:
- 1642 (a) make an expenditure from public funds for a political [~~purposes~~] purpose, to
1643 influence a ballot proposition, or to influence a proposed initiative or proposed referendum; or
1644 (b) publish on the public entity's website an argument for or against a ballot
1645 proposition, a proposed initiative, or a proposed referendum.
- 1646 (2) A violation of this section does not invalidate an otherwise valid election.
- 1647 (3) This section does not prohibit the reasonable expenditure of public funds to gather
1648 information for, and respond directly to, an individual who makes an inquiry regarding a ballot
1649 proposition, a proposed initiative, or a proposed referendum.
- 1650 (4) This section does not prohibit:
- 1651 (a) a public entity from conducting research, or collecting and compiling information
1652 or arguments in relation to, a ballot proposition, a proposed initiative, or a proposed
1653 referendum;
- 1654 (b) an elected or appointed official of the public entity described in Subsection (4)(a)
1655 from using the research, information, or arguments described in Subsection (4)(a) for the
1656 purpose of advocating for or against a ballot proposition, proposed initiative, or proposed
1657 referendum via a website, or another medium, not owned or controlled by the public entity;
- 1658 (c) a public entity from posting on the public entity's website a link to another website,
1659 with a brief description, that is not owned or controlled by a public entity, or from publishing in
1660 any medium owned, controlled, or paid for by a public entity a website address, with a brief
1661 description, where an individual may view research, information, and arguments for or against
1662 a ballot proposition, proposed initiative, or proposed referendum if the public entity:
- 1663 (i) before posting the link or publishing the address, provides at least seven days
1664 written notice to the sponsors of the ballot proposition, proposed initiative, or proposed
1665 referendum:
- 1666 (A) of the public entity's intent to post the link or publish the address;
- 1667 (B) a description of each medium in which the public entity intends to post the link or
1668 publish the address; and
- 1669 (C) the dates of the publication or posting; and
- 1670 (ii) posts, immediately adjacent to the link or address, and brief description described

1671 in Subsection [~~(4)(c)(i)~~] (4)(c), a link to, or an address for, a website, with a brief description,
1672 containing the sponsors' research, information, and arguments for or against the ballot
1673 proposition, proposed initiative, or proposed referendum, if the sponsors provide a link or
1674 address within seven days after the day on which the sponsors receive the notice described in
1675 Subsection (4)(c)(i); or

1676 (d) a public entity from posting on the public entity's website, or any medium, a
1677 complete copy of a proposition information pamphlet described in Section [20A-7-401.5](#) or a
1678 voter information pamphlet.

1679 Section 26. Section **20A-11-1206** is amended to read:

1680 **20A-11-1206. Exclusions.**

1681 (1) Nothing in this chapter prohibits a public official from speaking, campaigning,
1682 contributing personal money, or otherwise exercising the public official's individual First
1683 Amendment rights for a political [~~purposes~~] purpose.

1684 (2) (a) Subject to Subsection (2)(b), nothing in this chapter prohibits a public entity
1685 from providing factual information about a ballot proposition to the public, so long as the
1686 information grants equal access to both the opponents and proponents of the ballot proposition.

1687 (b) A county or municipality may not provide any information to the public about a
1688 proposed initiative, initiative, proposed referendum, or referendum unless the county or
1689 municipality:

1690 (i) provides the information in a manner required, or expressly permitted, by law; or

1691 (ii) is directly providing information solely to a person or a group of people in response
1692 to a question asked by the person or group of people.

1693 (3) Nothing in this chapter prohibits a public entity from the neutral encouragement of
1694 voters to vote.

1695 (4) Nothing in this chapter prohibits an elected official from campaigning or
1696 advocating for or against a ballot proposition.

1697 (5) Subject to Subsection (6), a county or municipality may expend a reasonable
1698 amount of public funds to:

1699 (a) prepare and publish a written argument or written rebuttal argument in accordance
1700 with Section [20A-7-401.5](#), [20A-7-402](#), or [59-1-1604](#); or

1701 (b) prepare an argument for, and present an argument at, a public meeting under

1702 Section 20A-7-405 or 59-1-1605.

1703 (6) A county or municipality may not:

1704 (a) publish an argument or rebuttal argument prepared under Section 20A-7-401.5 or
1705 20A-7-402, unless, at the same time and in the same manner, the county or municipality

1706 publishes each opposing argument and rebuttal argument that:

1707 (i) relates to the same proposed initiative, initiative, proposed referendum, or
1708 referendum; and

1709 (ii) complies with the requirements of Section 20A-7-401.5 or 20A-7-402;

1710 (b) publish an argument or rebuttal argument for or against a proposed initiative,
1711 initiative, proposed referendum, or referendum that was not prepared and submitted in
1712 accordance with Section 20A-7-401.5 or 20A-7-402; or

1713 (c) present an argument or rebuttal argument for or against a proposed initiative,
1714 initiative, proposed referendum, or referendum at a public meeting, unless the county or
1715 municipality provides equal opportunity for persons to present opposing arguments and rebuttal
1716 arguments at the public meeting.

1717 Section 27. Section 20A-11-1301 is amended to read:

1718 **20A-11-1301. School board office -- Campaign finance requirements -- Candidate**
1719 **as a political action committee officer -- No personal use -- Contribution reporting**
1720 **deadline -- Report other accounts -- Anonymous contributions.**

1721 (1) (a) ~~[(f)]~~ Each A school board office candidate ~~[shall deposit each contribution~~
1722 ~~received in]~~ or the candidate's personal campaign committee shall deposit all receipts received
1723 in the form of cash or a negotiable instrument into one or more separate accounts in a financial
1724 institution that are dedicated only to that purpose.

1725 ~~[(f)]~~ (b) A school board office candidate may:

1726 ~~[(A)]~~ (i) receive a contribution from a political action committee registered under
1727 Section 20A-11-601; and

1728 ~~[(B)]~~ (ii) be designated by a political action committee as an officer who has primary
1729 decision-making authority as described in Section 20A-11-601.

1730 ~~[(b)]~~ (c) A school board office candidate or the candidate's personal campaign
1731 committee may not use money deposited in an account described in Subsection ~~[(1)(a)(i)]~~

1732 (1)(a) for:

1733 (i) a personal use expenditure; or

1734 (ii) an expenditure prohibited by law.

1735 ~~[(e)]~~ (2) ~~[(i)]~~ (a) ~~[Each]~~ Except as provided in Subsection (4), a school board
1736 officeholder or the school board officeholder's personal campaign committee shall deposit each
1737 contribution and public service assistance received in the form of cash or a negotiable
1738 instrument into one or more separate accounts in a financial institution that are dedicated only
1739 to that purpose.

1740 ~~[(i)]~~ (b) A school board officeholder may:

1741 ~~[(A)]~~ (i) receive a contribution or public service assistance from a political action
1742 committee registered under Section 20A-11-601; and

1743 ~~[(B)]~~ (ii) be designated by a political action committee as an officer who has primary
1744 decision-making authority as described in Section 20A-11-601.

1745 ~~[(C)]~~ (c) A school board officeholder or the school board officeholder's personal
1746 campaign committee may not use money deposited in an account described in Subsection
1747 ~~[(1)(a)(i) or (1)(e)(i)]~~ (1)(a) or (2)(a) for:

1748 (i) a personal use expenditure; or

1749 (ii) an expenditure prohibited by law.

1750 ~~[(2)]~~ (3) (a) A school board office candidate or the school board officeholder's personal
1751 campaign committee may not deposit or mingle any contributions received into a personal or
1752 business account.

1753 (b) ~~[(A)]~~ Except as provided in Subsection (4), a school board officeholder or the school
1754 board officeholder's personal campaign committee may not deposit or mingle any contributions
1755 or public service assistance received into a personal or business account.

1756 (4) A school board officeholder or the school board officeholder's personal campaign
1757 committee is not required to deposit public service travel assistance into an account described
1758 in Subsection (1)(a) or (2)(a), and may, instead, deposit the public service travel assistance into
1759 a personal or business account if:

1760 (a) the public service travel assistance is received as a reimbursement for personal
1761 funds previously expended by the officeholder for travel, accommodations, food, and other
1762 costs or expenses relating to the officeholder attending a conference, meeting, tour, or other
1763 event, the primary purpose of which is to provide education, training, or information to the

1764 officeholder in relation to the duties of the officeholder; and

1765 (b) before the officeholder or the officeholder's personal campaign committee deposits
1766 the public service travel assistance into a personal or business account, the officeholder
1767 discloses the public service travel assistance in accordance with Section 20A-11-1303.5.

1768 [~~(3)~~] (5) A school board office candidate or school board officeholder may not make
1769 any political expenditures prohibited by law.

1770 [~~(4)~~] (6) If [~~a person~~] an individual who is no longer a school board office candidate
1771 chooses not to expend the money remaining in a campaign account, the [~~person~~] individual
1772 shall continue to file the year-end summary report required by Section 20A-11-1302 until the
1773 statement of dissolution and final summary report required by Section 20A-11-1304 are filed
1774 with the lieutenant governor.

1775 [~~(5)~~] (7) (a) Except as provided in Subsection [~~(5)(b)~~] (7)(b) and Section 20A-11-402,
1776 [~~a person~~] an individual who is no longer a school board office candidate may not expend or
1777 transfer the money in a campaign account in a manner that would cause the former school
1778 board office candidate to recognize the money as taxable income under federal tax law.

1779 (b) [~~A person~~] An individual who is no longer a school board office candidate may
1780 transfer the money in a campaign account in a manner that would cause the former school
1781 board office candidate to recognize the money as taxable income under federal tax law if the
1782 transfer is made to a campaign account for federal office.

1783 [~~(6)~~] (8) (a) As used in this Subsection [~~(6)~~] (8), "received" means the same as that
1784 term is defined in Subsection 20A-11-1303(1)(a).

1785 (b) Except as provided in Subsection [~~(6)(d)~~] (8)(d), each school board office candidate
1786 shall report to the chief election officer each contribution received by the school board office
1787 candidate:

1788 (i) except as provided in Subsection [~~(6)(b)(ii)~~] (8)(b)(ii), within 31 days after the day
1789 on which the contribution is received; or

1790 (ii) within seven business days after the day on which the contribution is received, if:

1791 (A) the school board office candidate is contested in a convention and the contribution
1792 is received within 30 days before the day on which the convention is held;

1793 (B) the school board office candidate is contested in a primary election and the
1794 contribution is received within 30 days before the day on which the primary election is held; or

1795 (C) the school board office candidate is contested in a general election and the
1796 contribution is received within 30 days before the day on which the general election is held.

1797 (c) For each contribution that a school board office candidate fails to report within the
1798 time period described in Subsection [~~(6)(b)~~] (8)(b), the chief election officer shall impose a fine
1799 against the school board office candidate in an amount equal to:

1800 (i) 10% of the amount of the contribution, if the school board office candidate reports
1801 the contribution within 60 days after the day on which the time period described in Subsection
1802 [~~(6)(b)~~] (8)(b) ends; or

1803 (ii) 20% of the amount of the contribution, if the school board office candidate fails to
1804 report the contribution within 60 days after the day on which the time period described in
1805 Subsection [~~(6)(b)~~] (8)(b) ends.

1806 (d) The lieutenant governor may waive the fine described in Subsection [~~(6)(c)~~] (8)(c)
1807 and issue a warning to the school board office candidate if:

1808 (i) the contribution that the school board office candidate fails to report is paid by the
1809 school board office candidate from the school board office candidate's personal funds;

1810 (ii) the school board office candidate has not previously violated Subsection [~~(6)(c)~~]
1811 (8)(c) in relation to a contribution paid by the school board office candidate from the school
1812 board office candidate's personal funds; and

1813 (iii) the lieutenant governor determines that the failure to timely report the contribution
1814 is due to the school board office candidate not understanding that the reporting requirement
1815 includes a contribution paid by a school board office candidate from the school board office
1816 candidate's personal funds.

1817 (e) The chief election officer shall:

1818 (i) deposit money received under Subsection [~~(6)(c)~~] (8)(c) into the General Fund; and

1819 (ii) report on the chief election officer's website, in the location where reports relating
1820 to each school board office candidate are available for public access:

1821 (A) each fine imposed by the chief election officer against the school board office
1822 candidate;

1823 (B) the amount of the fine;

1824 (C) the amount of the contribution to which the fine relates; and

1825 (D) the date of the contribution.

1826 ~~[(7)]~~ (9) Within 31 days after receiving a contribution that is cash or a negotiable
 1827 instrument, exceeds \$50, and is from an unknown source, a school board office candidate shall
 1828 disburse the contribution to an organization that is exempt from federal income taxation under
 1829 Section 501(c)(3), Internal Revenue Code.

1830 ~~[(8)]~~ (10) (a) As used in this Subsection ~~[(8)]~~ (10), "account" means an account in a
 1831 financial institution:

1832 (i) that is not described in Subsection ~~[(1)(a)(i)]~~ (1)(a) or (2)(a); and

1833 (ii) into which or from which ~~[a person]~~ an individual who, as a candidate for an office,
 1834 other than a school board office for which the person files a declaration of candidacy or federal
 1835 office, or as a holder of an office, other than a school board office for which the ~~[person]~~
 1836 individual files a declaration of candidacy or federal office, deposits a contribution or makes an
 1837 expenditure.

1838 (b) A school board office candidate shall include on any financial statement filed in
 1839 accordance with this part:

1840 (i) a ~~[contribution]~~ receipt deposited in an account:

1841 (A) since the last campaign finance statement was filed; or

1842 (B) that has not been reported under a statute or ordinance that governs the account; or

1843 (ii) an expenditure made from an account:

1844 (A) since the last campaign finance statement was filed; or

1845 (B) that has not been reported under a statute or ordinance that governs the account.

1846 Section 28. Section **20A-11-1302** is amended to read:

1847 **20A-11-1302. School board office candidate -- Financial reporting requirements**
 1848 **-- Year-end summary report.**

1849 (1) (a) Each school board office candidate shall file a summary report ~~[by]~~ no earlier
 1850 than January 1 and no later than January 10 of the year after the regular general election year.

1851 (b) In addition to the requirements of Subsection (1)(a), a former school board office
 1852 candidate that has not filed the statement of dissolution and final summary report required
 1853 under Section **20A-11-1304** shall continue to file a summary report ~~[on]~~ no earlier than January
 1854 1 and no later than January 10 of each year.

1855 (2) (a) Each summary report shall include the following information as of December 31
 1856 of the ~~[previous]~~ year immediately preceding the year of the report:

- 1857 (i) the net balance of the last financial statement, if any;
- 1858 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
- 1859 if any, during the previous year;
- 1860 (iii) a single figure equal to the total amount of expenditures reported on all interim
- 1861 reports, if any, filed during the previous year;
- 1862 (iv) a detailed listing of each contribution received since the last summary report that
- 1863 has not been reported in detail on an interim report;
- 1864 (v) for each nonmonetary contribution:
- 1865 (A) the fair market value of the contribution with that information provided by the
- 1866 contributor; and
- 1867 (B) a specific description of the contribution;
- 1868 (vi) a detailed listing of each expenditure made since the last summary report that has
- 1869 not been reported in detail on an interim report;
- 1870 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;
- 1871 (viii) a net balance for the year consisting of the net balance from the last summary
- 1872 report, if any, plus all receipts minus all expenditures; and
- 1873 (ix) the name of a political action committee for which the school board office
- 1874 candidate is designated as an officer who has primary decision-making authority under Section
- 1875 [20A-11-601](#).
- 1876 (b) In preparing the report, all receipts and expenditures shall be reported as of
- 1877 December 31 of the previous year.
- 1878 (c) A check or negotiable instrument received by a school board office candidate on or
- 1879 before December 31 of the previous year shall be included in the summary report, unless the
- 1880 check or negotiable instrument is solely for public service travel assistance reported on a public
- 1881 service travel assistance statement.
- 1882 (3) The school board office candidate shall certify in the summary report that, to the
- 1883 best of the school board office candidate's knowledge, all receipts and all expenditures have
- 1884 been reported as of December 31 of the previous year and that there are no bills or obligations
- 1885 outstanding and unpaid except as [~~set forth~~] described in that report.
- 1886 Section 29. Section **20A-11-1303** is amended to read:
- 1887 **20A-11-1303. School board office candidate and school board officeholder --**

1888 **Financial reporting requirements -- Interim reports.**

1889 (1) (a) As used in this section, "received" means:

1890 (i) for a cash contribution, that the cash is given to a school board office candidate or a
1891 member of the school board office candidate's personal campaign committee;

1892 (ii) for a contribution that is a check or other negotiable instrument, that the check or
1893 other negotiable instrument is negotiated;

1894 (iii) for a direct deposit made into a campaign account by a person not associated with
1895 the campaign, the earlier of:

1896 (A) the day on which the school board office candidate or a member of the school
1897 board office candidate's personal campaign committee becomes aware of the deposit and the
1898 source of the deposit;

1899 (B) the day on which the school board office candidate or a member of the school
1900 board office candidate's personal campaign committee receives notice of the deposit and the
1901 source of the deposit by mail, email, text, or similar means; or

1902 (C) 31 days after the day on which the direct deposit occurs; or

1903 (iv) for any other type of contribution, that any portion of the contribution's benefit
1904 inures to the school board office candidate.

1905 (b) As used in this Subsection (1), "campaign account" means a separate campaign
1906 account required under Subsection [~~20A-11-1301(1)(a)(i) or (c)(i)~~] 20A-11-1301(1) or (2).

1907 (c) Each school board office candidate shall file an interim report at the following
1908 times in any year in which the candidate has filed a declaration of candidacy for a public office:

1909 (i) May 15;

1910 (ii) seven days before the regular primary election date;

1911 (iii) September 30; and

1912 (iv) seven days before the regular general election date.

1913 (2) Each interim report shall include the following information:

1914 (a) the net balance of the last summary report, if any;

1915 (b) a single figure equal to the total amount of receipts reported on all prior interim
1916 reports, if any, during the calendar year in which the interim report is due;

1917 (c) a single figure equal to the total amount of expenditures reported on all prior
1918 interim reports, if any, filed during the calendar year in which the interim report is due;

- 1919 (d) a detailed listing of:
- 1920 (i) for a school board office candidate, each contribution received since the last
- 1921 summary report that has not been reported in detail on a prior interim report; or
- 1922 (ii) for a school board officeholder, each [~~contribution and public service assistance~~]
- 1923 receipt received since the last summary report that has not been reported in detail on a prior
- 1924 interim report;
- 1925 (e) for each nonmonetary contribution:
- 1926 (i) the fair market value of the contribution with that information provided by the
- 1927 contributor; and
- 1928 (ii) a specific description of the contribution;
- 1929 (f) a detailed listing of each expenditure made since the last summary report that has
- 1930 not been reported in detail on a prior interim report;
- 1931 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 1932 (h) a net balance for the year consisting of the net balance from the last summary
- 1933 report, if any, plus all receipts since the last summary report minus all expenditures since the
- 1934 last summary report;
- 1935 (i) a summary page in the form required by the lieutenant governor that identifies:
- 1936 (i) beginning balance;
- 1937 (ii) total [~~contributions~~] receipts received during the period since the last statement;
- 1938 (iii) total [~~contributions~~] receipts received to date;
- 1939 (iv) total expenditures during the period since the last statement; and
- 1940 (v) total expenditures to date; and
- 1941 (j) the name of a political action committee for which the school board office candidate
- 1942 or school board officeholder is designated as an officer who has primary decision-making
- 1943 authority under Section [20A-11-601](#).
- 1944 (3) (a) In preparing each interim report, all receipts and expenditures shall be reported
- 1945 as of five days before the required filing date of the report.
- 1946 (b) Any negotiable instrument or check received by a school board office candidate or
- 1947 school board officeholder more than five days before the required filing date of a report
- 1948 required by this section shall be included in the interim report, unless the negotiable instrument
- 1949 or check is solely for public service travel assistance reported on a public service travel

1950 assistance statement.

1951 Section 30. Section **20A-11-1303.5** is enacted to read:

1952 **20A-11-1303.5. School board officeholder -- Public service travel assistance**
1953 **statement -- Alternative disclosure method.**

1954 (1) A school board officeholder is not required to disclose public service travel
1955 assistance under Section [20A-11-1302](#), [20A-11-1303](#), [20A-11-1304](#), or [20A-11-401](#) if:

1956 (a) the public service travel assistance is not deposited into an account described in
1957 Subsection [20A-11-301](#)(1)(a) or (2)(a); and

1958 (b) the school board officeholder discloses the public service travel assistance, in
1959 accordance with this section, within 31 days after the day on which the school board
1960 officeholder:

1961 (i) receives the public service travel assistance; or

1962 (ii) receives money to pay for, or reimburse the school board officeholder for, the
1963 public service travel assistance.

1964 (2) A school board officeholder may make the disclosure described in Subsection
1965 (1)(b) by completing a public service travel assistance statement, on a form provided by the
1966 lieutenant governor, that:

1967 (a) describes the conference, meeting, tour, or other event in sufficient detail to
1968 establish that the primary purpose of attending was to provide education, training, or
1969 information to the officeholder in relation to the duties of the officeholder; and

1970 (b) provides a detailed listing for the public service travel assistance.

1971 (3) Notwithstanding any provision of Title 63G, Chapter 2, Government Records
1972 Access and Management Act, the lieutenant governor shall make each public service travel
1973 assistance statement filed by a school board officeholder available for public inspection and
1974 copying no later than one business day after the statement is filed.

1975 (4) The lieutenant governor shall establish procedures for completing, submitting, and
1976 disclosing the public service travel assistance statement, and information disclosed on the
1977 statement:

1978 (a) separately from the disclosure of:

1979 (i) contributions;

1980 (ii) expenditures;

- 1981 (iii) public service general assistance; and
 1982 (iv) public service travel assistance disclosed under Section 20A-11-302, 20A-11-303,
 1983 20A-11-304, or 20A-11-401; and
 1984 (b) in a manner that clearly identifies that the public service travel assistance:
 1985 (i) does not constitute a campaign contribution; and
 1986 (ii) is to pay for the school board officeholder to attend a conference, meeting, tour, or
 1987 other event, the primary purpose of which is to provide education, training, or information to
 1988 the officeholder in relation to the duties of the officeholder.

1989 Section 31. Section **20A-11-1304** is amended to read:

1990 **20A-11-1304. School board office candidate -- Financial reporting requirements**
 1991 **-- Termination of duty to report.**

1992 (1) Each school board candidate is subject to interim reporting requirements until the
 1993 candidate withdraws or is eliminated in a primary.

1994 (2) Each school board office candidate is subject to year-end summary reporting
 1995 requirements until the candidate has filed a statement of dissolution with the lieutenant
 1996 governor stating that:

1997 (a) the school board office candidate is no longer receiving [~~contributions~~] receipts and
 1998 is no longer making expenditures;

1999 (b) the ending balance on the last summary report filed is zero and the balance in the
 2000 separate bank account required in Section **20A-11-1301** is zero; and

2001 (c) a final summary report in the form required by Section **20A-11-1302** showing a
 2002 zero balance is attached to the statement of dissolution.

2003 (3) A statement of dissolution and a final summary report may be filed at any time.

2004 (4) Each school board office candidate shall continue to file the year-end summary
 2005 report required by Section **20A-11-1302** until the statement of dissolution and final summary
 2006 report required by this section are filed.

2007 Section 32. Section **20A-11-1402** is amended to read:

2008 **20A-11-1402. Definitions.**

2009 (1) As used in this part:

2010 (a) "Ballot proposition" includes constitutional amendments, initiatives, referenda,
 2011 judicial retention questions, opinion questions, or other questions submitted to the voters for

2012 their approval or rejection.

2013 (b) (i) "Labor organization" means a lawful organization of any kind that is composed,
2014 in whole or in part, of employees and that exists for the purpose, in whole or in part, of dealing
2015 with employers concerning grievances, labor disputes, wages, rates of pay, hours of
2016 employment, or other terms and conditions of employment.

2017 (ii) Except as provided in Subsection (1)(b)(iii), "labor organization" includes each
2018 employee association and union for employees of public and private sector employers.

2019 (iii) "Labor organization" does not include organizations governed by the National
2020 Labor Relations Act, 29 U.S.C. Sec. 151 et seq. or the Railroad Labor Act, 45 U.S.C. Sec. 151
2021 et seq.

2022 (c) "Political fund" means a separate segregated fund established by a labor
2023 organization for a political [~~purposes~~] purpose that meets the requirements of this part.

2024 (d) "Political [~~purposes~~] purpose" means an act done with the intent or in a way to
2025 influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote
2026 for or against any candidate for public office at any caucus, political convention, primary, or
2027 election.

2028 (e) "Union dues" means dues, fees, money, or other assessments required as a
2029 condition of membership or participation in a labor organization.

2030 (2) Other terms defined in Section 20A-11-101 apply to this part.

2031 Section 33. Section 20A-11-1403 is amended to read:

2032 **20A-11-1403. Prohibition of required contributions for a political purpose.**

2033 A labor organization may not require [~~any~~] a contribution to a candidate, personal
2034 campaign committee, political action committee, political issues committee, registered political
2035 party, ballot proposition, or political fund as a condition of membership or participation in the
2036 labor organization.

2037 Section 34. Section 20A-11-1404 is amended to read:

2038 **20A-11-1404. Establishment and administration of political fund.**

2039 (1) A labor organization wishing to make expenditures for a political [~~purposes~~]
2040 purpose shall establish a political fund.

2041 (2) Each labor organization that establishes a political fund shall:

2042 (a) maintain the political fund as a separate, segregated account apart from any account

2043 containing money received by a labor organization as union dues;

2044 (b) ensure that each contribution to the political fund is voluntary; and

2045 (c) register the political fund as a political action committee or political issues
2046 committee as required by this chapter.

2047 (3) (a) Except as otherwise provided in this part, a labor organization may only make
2048 expenditures for a political [purposes] purpose from a political fund established in accordance
2049 with this part.

2050 (b) A labor organization may not expend union dues for a political [purposes] purpose
2051 or transfer union dues to a political fund.

2052 (4) Nothing in this part precludes a labor organization from making expenditures of
2053 union dues to communicate directly with its own members about political candidates or
2054 political issues.

2055 (5) Nothing in this part precludes a labor organization from making expenditures of
2056 union dues either for the establishment and administration of a political fund or to solicit
2057 contributions from its members to a political fund.

2058 (6) Nothing in this part is intended to, or may be construed to, preempt any requirement
2059 of federal law.

2060 Section 35. Section **20A-11-1502** is amended to read:

2061 **20A-11-1502. Campaign financial reporting of expenditures -- Filing**
2062 **requirements -- Statement contents.**

2063 (1) (a) Each labor organization that has made expenditures for a political [purposes]
2064 purpose or political issues expenditures on current or proposed ballot issues that total at least
2065 \$750 during a calendar year shall file a verified financial statement with the lieutenant
2066 governor's office:

2067 (i) on January 10, reporting expenditures as of December 31 of the previous year;

2068 (ii) seven days before the regular primary election date;

2069 (iii) on September 30; and

2070 (iv) seven days before the regular general election date.

2071 (b) The labor organization shall report:

2072 (i) a detailed listing of all expenditures made since the last statement; and

2073 (ii) for a financial statement described in Subsections (1)(a)(ii) through (iv), all

2074 expenditures as of five days before the required filing date of the financial statement.

2075 (c) The labor organization is not required to file a financial statement under this section
2076 if the labor organization:

2077 (i) made no expenditures during the reporting period; or

2078 (ii) reports the labor organization's expenditures during the reporting period under
2079 another part of this chapter.

2080 (2) The financial statement shall include:

2081 (a) the name and address of each reporting entity that received an expenditure or
2082 political issues expenditure of more than \$50 from the labor organization, and the amount of
2083 each expenditure or political issues expenditure;

2084 (b) the total amount of expenditures disbursed by the labor organization; and

2085 (c) a statement by the labor organization's treasurer or chief financial officer certifying
2086 the accuracy of the financial statement.

2087 Section 36. Section **20A-11-1704** is amended to read:

2088 **20A-11-1704. Independent expenditure report.**

2089 (1) Except as provided in Section [20A-11-1703](#), within 31 days after the day on which
2090 a person has made a total of at least \$1,000 in independent expenditures during an election
2091 cycle, the person shall file an independent expenditure report with the chief election officer.

2092 (2) Except as provided in Section [20A-11-1703](#), within 31 days after the day on which
2093 a person has made a total of at least \$1,000 in independent expenditures during an election
2094 cycle that were not reported in an independent expenditure report already filed with the chief
2095 election officer during the same election cycle, the person shall file another independent
2096 expenditure report with the chief election officer.

2097 (3) An independent expenditure report shall include the following information:

2098 (a) if the person who made the independent expenditures is an individual, the person's
2099 name, address, and phone number;

2100 (b) if the person who made the independent expenditures is not an individual:

2101 (i) the person's name, address, and phone number; and

2102 (ii) the name, address, and phone number of an individual who may be contacted by the
2103 chief election officer in relation to the independent expenditure report; and

2104 (c) for each independent expenditure made by the person during the current election

- 2105 cycle that was not reported in a previous independent expenditure report:
- 2106 (i) the date of the independent expenditure;
- 2107 (ii) the amount of the independent expenditure;
- 2108 (iii) the candidate or ballot proposition for which the independent expenditure
- 2109 expressly advocates the success or defeat and a description of whether the independent
- 2110 expenditure supports or opposes the candidate or ballot proposition;
- 2111 (iv) the identity, address, and phone number of the person to whom the independent
- 2112 expenditure was made;
- 2113 (v) a description of the goods or services obtained by the independent expenditure; and
- 2114 (vi) for each person who, for a political [~~purposes~~] purpose, made cumulative
- 2115 donations of \$1,000 or more during the current election cycle to the filer of the independent
- 2116 expenditure report:
- 2117 (A) the identity, address, and phone number of the person;
- 2118 (B) the date of the donation; and
- 2119 (C) the amount of the donation.
- 2120 (4) (a) If the person filing an independent expenditure report is an individual, the
- 2121 person shall sign the independent expenditure report and certify that the information contained
- 2122 in the report is complete and accurate.
- 2123 (b) If the person filing an independent expenditure report is not an individual:
- 2124 (i) the person filing the independent expenditure report shall designate an authorized
- 2125 individual to sign the independent expenditure report on behalf of the person; and
- 2126 (ii) the individual designated under Subsection (4)(b)(i) shall sign the independent
- 2127 expenditure report and certify that the information contained in the report is complete and
- 2128 accurate.
- 2129 (5) If a person who files an independent expenditure report previously filed an
- 2130 independent expenditure report during, or in relation to, the same election cycle that includes
- 2131 information, described in Subsection (3)(a) or (b), that has changed since the person filed the
- 2132 previous independent expenditure report, the person shall include in the most recent
- 2133 independent expenditure report a description of the information that has changed that includes
- 2134 both the old information and the new information.
- 2135 (6) An independent expenditure report is a public record under Title 63G, Chapter 2,

2136 Government Records Access and Management Act.

2137 Section 37. Section **20A-11a-101** is enacted to read:

2138 **CHAPTER 11a. REPORTING GIFTS OR TRAVEL PROVIDED BY A FOREIGN**
2139 **ENTITY**

2140 **20A-11a-101. Definitions.**

2141 As used in this chapter:

2142 (1) "Agent" means:

2143 (a) an official of a foreign entity; or

2144 (b) an individual acting for, or on behalf of, a foreign entity.

2145 (2) "Foreign entity" means:

2146 (a) a foreign government; or

2147 (b) a corporation or other organization that is owned or controlled by a foreign
2148 government.

2149 (3) "Foreign government" means a government other than the government of:

2150 (a) the United States;

2151 (b) a state within the United States;

2152 (c) a territory or possession of the United States; or

2153 (d) a political subdivision of a government described in Subsections (3)(a) through (c).

2154 (4) "Gift" means any good or service, other than travel, with a fair market value of
2155 more than \$100.

2156 (5) "Officeholder" means:

2157 (a) an individual who holds the office of governor, lieutenant governor, state auditor,
2158 state treasurer, attorney general, state school board member, state senator, state representative,
2159 speaker of the House of Representatives, or president of the Senate; or

2160 (b) the leader, whip, or assistant whip of any party caucus in either house of the
2161 Legislature.

2162 (6) "Travel" means:

2163 (a) transportation outside of Utah; or

2164 (b) food, beverage, lodging, or other goods or services incidental to transportation
2165 outside of Utah.

2166 Section 38. Section **20A-11a-102** is enacted to read:

2167 **20A-11a-102. Officeholder disclosure of gifts or travel from foreign entity.**

2168 (1) Except as provided in Subsection (3), an officeholder who receives a gift or travel
2169 shall disclose the gift or travel in accordance with this section if the officeholder knows or
2170 through the exercise of reasonable diligence should know that the gift or travel is provided in
2171 whole or in part by:

2172 (a) a foreign entity; or

2173 (b) an agent of a foreign entity acting in the agent's capacity as an agent of a foreign
2174 entity.

2175 (2) An officeholder described in Subsection (1) shall make the disclosure, within 31
2176 days after the later of the day on which the officeholder:

2177 (a) receives the gift;

2178 (b) receives the travel;

2179 (c) receives payment or reimbursement for the travel; or

2180 (d) gains the knowledge, or through the exercise of reasonable diligence should have
2181 gained the knowledge, described in Subsection (1).

2182 (3) An officeholder described in Subsection (1) is not required to make the disclosure
2183 described in this section if:

2184 (a) before the deadline described in Subsection (2), the officeholder:

2185 (i) returns the gift;

2186 (ii) cancels the travel; or

2187 (iii) returns the payment or reimbursement for the travel; or

2188 (b) the officeholder engages in the travel before the officeholder gains the knowledge,
2189 or through the exercise of reasonable diligence should have gained the knowledge, described in
2190 Subsection (1).

2191 (4) An officeholder required to make a disclosure described in this section shall:

2192 (a) make the disclosure to the lieutenant governor on a form provided by the lieutenant
2193 governor; and

2194 (b) provide the following information on the form described in Subsection (4)(a):

2195 (i) the officeholder's name and office;

2196 (ii) the date the officeholder received the gift or the dates the officeholder engaged in
2197 the travel;

- 2198 (iii) the date the officeholder received payment or reimbursement for the travel;
2199 (iv) the fair market value of the gift;
2200 (v) the actual cost of the travel, payment, or reimbursement for the travel or, if the
2201 actual cost cannot be determined, the fair market value of the travel;
2202 (vi) the name of each foreign entity, foreign government, and foreign agent that paid, in
2203 whole or in part for the gift or travel; and
2204 (vii) the name of each foreign agent that provided the gift or travel on behalf of the
2205 foreign entity.
- 2206 (5) Notwithstanding any provision of Title 63G, Chapter 2, Government Records
2207 Access and Management Act, the lieutenant governor shall make each disclosure described in
2208 this section available for public inspection and copying no later than one business day after the
2209 statement is filed.
- 2210 (6) The lieutenant governor shall establish procedures for completing and submitting
2211 the disclosure described in this section, and information in the disclosure:
- 2212 (a) separately from a disclosure made under Chapter 11, Reporting Requirements for
2213 Candidates, Officeholders, and Entities; and
- 2214 (b) in a manner that, unless the gift or travel must also be reported under Chapter 11,
2215 Reporting Requirements for Candidates, Officeholders, and Entities, clearly identifies that the
2216 disclosure does not constitute a campaign contribution or public service assistance.
- 2217 (7) For each gift or travel that an officeholder fails to report within the time period
2218 described in Subsection (2), the lieutenant governor shall impose a fine against the officeholder
2219 in an amount equal to:
- 2220 (a) 10% of the amount described in Subsection (4)(b)(iv) or (v), as applicable, if the
2221 officeholder makes the disclosure within 60 days after the day on which the time period
2222 described in Subsection (2) ends; or
- 2223 (b) 20% of the amount described in Subsection (4)(b)(iv) or (v), as applicable, if the
2224 officeholder fails to make the disclosure within 60 days after the day on which the time period
2225 described in Subsection (2) ends.
- 2226 Section 39. Section **68-3-12.5** is amended to read:
- 2227 **68-3-12.5. Definitions for Utah Code.**
- 2228 (1) The definitions listed in this section apply to the Utah Code, unless:

2229 (a) the definition is inconsistent with the manifest intent of the Legislature or repugnant
2230 to the context of the statute; or

2231 (b) a different definition is expressly provided for the respective title, chapter, part,
2232 section, or subsection.

2233 (2) "Adjudicative proceeding" means:

2234 (a) an action by a board, commission, department, officer, or other administrative unit
2235 of the state that determines the legal rights, duties, privileges, immunities, or other legal
2236 interests of one or more identifiable persons, including an action to grant, deny, revoke,
2237 suspend, modify, annul, withdraw, or amend an authority, right, or license; and

2238 (b) judicial review of an action described in Subsection (2)(a).

2239 (3) "Administrator" includes "executor" when the subject matter justifies the use.

2240 (4) "Advisory board," "advisory commission," and "advisory council" mean a board,
2241 commission, committee, or council that:

2242 (a) is created by, and whose duties are provided by, statute or executive order;

2243 (b) performs its duties only under the supervision of another person as provided by
2244 statute; and

2245 (c) provides advice and makes recommendations to another person that makes policy
2246 for the benefit of the general public.

2247 (5) "Armed forces" means the United States Army, Navy, Air Force, Marine Corps,
2248 Space Force, and Coast Guard.

2249 (6) "City" includes, depending on population, a metro township as defined in Section
2250 [10-3c-102](#).

2251 (7) "County executive" means:

2252 (a) the county commission, in the county commission or expanded county commission
2253 form of government established under Title 17, Chapter 52a, Changing Forms of County
2254 Government;

2255 (b) the county executive, in the county executive-council optional form of government
2256 authorized by Section [17-52a-203](#); or

2257 (c) the county manager, in the council-manager optional form of government
2258 authorized by Section [17-52a-204](#).

2259 (8) "County legislative body" means:

2260 (a) the county commission, in the county commission or expanded county commission
2261 form of government established under Title 17, Chapter 52a, Changing Forms of County
2262 Government;

2263 (b) the county council, in the county executive-council optional form of government
2264 authorized by Section 17-52a-203; and

2265 (c) the county council, in the council-manager optional form of government authorized
2266 by Section 17-52a-204.

2267 (9) "Depose" means to make a written statement made under oath or affirmation.

2268 (10) "Executor" includes "administrator" when the subject matter justifies the use.

2269 (11) "Guardian" includes a person who:

2270 (a) qualifies as a guardian of a minor or incapacitated person pursuant to testamentary
2271 or court appointment; or

2272 (b) is appointed by a court to manage the estate of a minor or incapacitated person.

2273 (12) "Highway" includes:

2274 (a) a public bridge;

2275 (b) a county way;

2276 (c) a county road;

2277 (d) a common road; and

2278 (e) a state road.

2279 (13) "Individual" means a human being.

2280 [~~(13)~~] (14) "Intellectual disability" means a significant, subaverage general intellectual
2281 functioning that:

2282 (a) exists concurrently with deficits in adaptive behavior; and

2283 (b) is manifested during the developmental period as defined in the current edition of
2284 the Diagnostic and Statistical Manual of Mental Disorders, published by the American
2285 Psychiatric Association.

2286 [~~(14)~~] (15) "Intermediate care facility for people with an intellectual disability" means
2287 an intermediate care facility for the mentally retarded, as defined in Title XIX of the Social
2288 Security Act.

2289 [~~(15)~~] (16) "Land" includes:

2290 (a) land;

- 2291 (b) a tenement;
- 2292 (c) a hereditament;
- 2293 (d) a water right;
- 2294 (e) a possessory right; and
- 2295 (f) a claim.
- 2296 ~~[(16)]~~ (17) "Month" means a calendar month, unless otherwise expressed.
- 2297 ~~[(17)]~~ (18) "Oath" includes "affirmation."
- 2298 ~~[(18)]~~ (19) "Person" means:
- 2299 (a) an individual;
- 2300 (b) an association;
- 2301 (c) an institution;
- 2302 (d) a corporation;
- 2303 (e) a company;
- 2304 (f) a trust;
- 2305 (g) a limited liability company;
- 2306 (h) a partnership;
- 2307 (i) a political subdivision;
- 2308 (j) a government office, department, division, bureau, or other body of government;
- 2309 [and]
- 2310 (k) a personal campaign committee, a political party committee, a political action
- 2311 committee, a political issues committee, or a labor organization; or
- 2312 ~~[(1)]~~ (l) any other organization or entity.
- 2313 ~~[(19)]~~ (20) "Personal property" includes:
- 2314 (a) money;
- 2315 (b) goods;
- 2316 (c) chattels;
- 2317 (d) effects;
- 2318 (e) evidences of a right in action;
- 2319 (f) a written instrument by which a pecuniary obligation, right, or title to property is
- 2320 created, acknowledged, transferred, increased, defeated, discharged, or diminished; and
- 2321 (g) a right or interest in an item described in Subsections ~~[(19)(a)]~~ (20)(a) through (f).

- 2322 [~~(20)~~] (21) "Personal representative," "executor," and "administrator" include:
- 2323 (a) an executor;
- 2324 (b) an administrator;
- 2325 (c) a successor personal representative;
- 2326 (d) a special administrator; and
- 2327 (e) a person who performs substantially the same function as a person described in
- 2328 Subsections [~~(20)~~](a) (21)(a) through (d) under the law governing the person's status.
- 2329 [~~(21)~~] (22) "Policy board," "policy commission," or "policy council" means a board,
- 2330 commission, or council that:
- 2331 (a) is authorized to make policy for the benefit of the general public;
- 2332 (b) is created by, and whose duties are provided by, the constitution or statute; and
- 2333 (c) performs its duties according to its own rules without supervision other than under
- 2334 the general control of another person as provided by statute.
- 2335 [~~(22)~~] (23) "Population" is shown by the most recent state or national census, unless
- 2336 expressly provided otherwise.
- 2337 [~~(23)~~] (24) "Process" means a writ or summons issued in the course of a judicial
- 2338 proceeding.
- 2339 [~~(24)~~] (25) "Property" includes both real and personal property.
- 2340 [~~(25)~~] (26) "Real estate" or "real property" includes:
- 2341 (a) land;
- 2342 (b) a tenement;
- 2343 (c) a hereditament;
- 2344 (d) a water right;
- 2345 (e) a possessory right; and
- 2346 (f) a claim.
- 2347 [~~(26)~~] (27) "Review board," "review commission," and "review council" mean a board,
- 2348 commission, committee, or council that:
- 2349 (a) is authorized to approve policy made for the benefit of the general public by another
- 2350 body or person;
- 2351 (b) is created by, and whose duties are provided by, statute; and
- 2352 (c) performs its duties according to its own rules without supervision other than under

2353 the general control of another person as provided by statute.

2354 [~~(27)~~] (28) "Road" includes:

2355 (a) a public bridge;

2356 (b) a county way;

2357 (c) a county road;

2358 (d) a common road; and

2359 (e) a state road.

2360 [~~(28)~~] (29) "Signature" includes a name, mark, or sign written with the intent to

2361 authenticate an instrument or writing.

2362 [~~(29)~~] (30) "State," when applied to the different parts of the United States, includes a

2363 state, district, or territory of the United States.

2364 [~~(30)~~] (31) "Swear" includes "affirm."

2365 [~~(31)~~] (32) "Testify" means to make an oral statement under oath or affirmation.

2366 [~~(32)~~] (33) "Town" includes, depending on population, a metro township as defined in

2367 Section [10-3c-102](#).

2368 [~~(33)~~] (34) "Uniformed services" means:

2369 (a) the armed forces;

2370 (b) the commissioned corps of the National Oceanic and Atmospheric Administration;

2371 and

2372 (c) the commissioned corps of the United States Public Health Service.

2373 [~~(34)~~] (35) "United States" includes each state, district, and territory of the United

2374 States of America.

2375 [~~(35)~~] (36) "Utah Code" means the 1953 recodification of the Utah Code, as amended,

2376 unless the text expressly references a portion of the 1953 recodification of the Utah Code as it

2377 existed:

2378 (a) on the day on which the 1953 recodification of the Utah Code was enacted; or

2379 (b) (i) after the day described in Subsection [~~(35)(a)~~] (36)(a); and

2380 (ii) before the most recent amendment to the referenced portion of the 1953

2381 recodification of the Utah Code.

2382 [~~(36)~~] (37) "Vessel," when used with reference to shipping, includes a steamboat, canal

2383 boat, and every structure adapted to be navigated from place to place.

2384 [~~37~~] (38) (a) "Veteran" means an individual who:
2385 (i) has served in the United States Armed Forces for at least 180 days:
2386 (A) on active duty; or
2387 (B) in a reserve component, to include the National Guard; or
2388 (ii) has incurred an actual service-related injury or disability while in the United States
2389 Armed Forces regardless of whether the individual completed 180 days; and
2390 (iii) was separated or retired under conditions characterized as honorable or general.
2391 (b) This definition is not intended to confer eligibility for benefits.
2392 [~~38~~] (39) "Will" includes a codicil.
2393 [~~39~~] (40) "Writ" means an order or precept in writing, issued in the name of:
2394 (a) the state;
2395 (b) a court; or
2396 (c) a judicial officer.
2397 [~~40~~] (41) "Writing" includes:
2398 (a) printing;
2399 (b) handwriting; and
2400 (c) information stored in an electronic or other medium if the information is retrievable
2401 in a perceivable format.

2402 Section 40. **Repealer.**
2403 This bill repeals:
2404 Section **20A-11-1201, Title.**